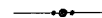


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VOLUME

XVIII



THE WARRENDER PAPERS

VOLUME

I

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PUBLIC



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THE WARRENDER PAPERS

VOLUME I

Edited by

ANNIE I. CAMERON, M.A., Ph.D.

DIPLOMÉE OF THE VATICAN IN PALÆOGRAPHY

With an Introduction by

ROBERT S. RAIT, C.B.E., Hon. LL.D

PRINCIPAL OF THE UNIVERSITY OF GLASGOW



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GENERAL INTRODUCTION

THE Warrender Papers are a miscellaneous collection of letters and papers which, with a few exceptions, relate to the period between the accession of Mary to the Scottish throne in 1542 and the death of her son, James VI. and I., in 1625. They have been bound, without regard to arrangement, chronological or other, in two volumes, but eighteen documents have at some period been detached from the volumes. These eighteen documents were privately printed in 1889 by Miss Margaret Warrender as *Illustrations of Scottish History*, and are sometimes referred to hereinafter as 'Volume C' of the Warrender Papers.

Of the early history of the documents little is known. In the seventeenth century they were in the possession, or the custody, of Archbishop Spottiswoode, who quoted from them in his *History of the Church and State of Scotland* (1655). Spottiswoode was for many years an active member of the small Privy Council, and in 1635 he became Lord Chancellor. It is, therefore, not improbable that the collection consists of a series of documents selected by the Archbishop from the ill-kept archives for the purposes of his *History*. At the outbreak of the 'Troubles in Scotland' Spottiswoode fled to England, and died in London in 1639; his son, Sir Robert Spottiswoode, President of the Court of Session from 1633 to 1641, was a scholar through whose enterprise the 'Black Book of Paisley' and other MSS. were discovered and used in the Archbishop's work. Sir Robert was thus likely to cherish a collection of documents, but he was put to death as a supporter of Montrose in 1646.

The MSS. may have passed to John Spottiswoode, grandson of the Judge, an advocate and legal writer of some distinction, who published in 1706 Sir Robert's *Practicks of the Laws of Scotland*. But anything beyond the Archbishop's use of the documents is mere conjecture.

In the middle of the eighteenth century the MSS. belonged to Sir Alexander Dick, Bt. of Prestonfield, who lent them to Principal Robertson. The text of his history indicates his use of them, and he printed, in modern English, a number of them in the Appendices to his work. From the Dick family they passed, possibly by purchase, to Sir George Warrender, Bt. of Lochend, a collector of books and pictures. He lent them to the historian, Patrick Fraser Tytler, and some of their contents were utilised by him in the eighth and ninth volumes of his *History of Scotland* (1828-1843). The MSS. were duly returned by Tytler, and it was for long believed that the whole collection, except the eighteen detached documents, had been destroyed by a fire which occurred at Lochend in 1859. It was in this belief that Miss Warrender printed for private circulation her *Illustrations of Scottish History*. By great good fortune the MSS. were, however, not at Lochend at the date of the fire, or had been rescued, safely deposited, and forgotten. Many years after Miss Warrender printed what were supposed to be the only extant fragments, the main collection was discovered in a cupboard at Bruntsfield.

The papers here calendared or printed, by kind permission of Sir Victor Warrender, Bt., M.P., for the Scottish History Society represent about one-third of the collection; the remainder will be dealt with in later volumes. A dividing line has been drawn at the death of Queen Mary in 1587. Of the 169 documents treated in this volume, over 70 are originals, some of them holograph autograph. The writers of these include a Cardinal and a Duke of Lorraine, Henry, third Duke of Guise, Charles ix., Catherine de Medici,

William the Silent, Queen Elizabeth, Burleigh, Walsingham, Leicester, King James vi., the Master of Gray, and Maitland of Thirlestane, Chancellor of Scotland. Some of these letters possess very considerable personal interest, as when Guillaume de Nassau (William the Silent) returns thanks to God for his escape from the attempt on his life in 1582, but thinks it fitting to tell kings and great Christian princes about the methods of the Spanish king and the advantage of having no dealings with him (No. XCI); or when Elizabeth warns James against crooked paths and dissembling devices (No. XCVIII^A); or when banished Protestant lords tell James that 'it is common knowledge that the strength of the Scottish kings has lain in two things: first, in securing the loving obedience of their subjects by means of clemency; and secondly, by keeping their chief fortresses in their own hands' (No. CIX); or when Leicester writes to Sir John Maitland of Thirlestane in affectionate remembrance of his brother, William Maitland of Lethington, 'whome I protest I loved as derely as ever I loved man not born in England, and not many in England better' (No. CXV). Twelve years before these words were written, Lethington had died a captive after the surrender of Edinburgh Castle and the enemy of Leicester's mistress.

Among newly discovered documents other than personal letters, the most important is the Commission of Legacy from Pope Julius III. to Archbishop Hamilton, constituting him legate *de latere* of the Holy See. The fact of the issue of this commission has long been known, but the document itself, with the very wide powers given to the Legate, have hitherto been unknown. Liturgical students will not fail to notice the sanction given by Pope Julius III. for the recitation of offices 'juxta ritum breviarii noviter impressi,' presumably Cardinal Quignon's revision of the Breviary.

Many of the drafts and copies possess not less interest than the originals. Almost all of them relate to important

episodes in Scottish History, and the whole collection emphasizes, what has frequently been ignored, the foreign relations of Scotland with countries other than England. Attention has been drawn to the salient features in Dr. Cameron's Introductions to the several sections.

I ought to add that the pressure of new responsibilities has prevented me from sharing the burden of the editing with Dr. Cameron, as I had hoped to do. Members of the Scottish History Society and other students of Scottish History owe this valuable collection of records to the generosity of the Warrender Family and to Dr. Cameron's industry, skill, and knowledge. For collation of the proofs and other valuable assistance during Dr. Cameron's absence in Rome, heartiest thanks are due to Mr. H. M. Paton, of the Historical Department, H.M. General Register House, Edinburgh. Similar help has also been ungrudgingly given by the Curator, Mr. Angus, who also read the proofs.

ROBERT S. RAIT.

THE UNIVERSITY, GLASGOW.
October 1931.

LIST OF ABBREVIATIONS

- A.P.* *Acts of the Parliament of Scotland.* Record Series.
- Calderwood . . Calderwood, David, *The History of the Kirk of Scotland.* Wodrow Society. 1843-9.
- C.S.P.* *Calendar of Scottish Papers.* Record Series.
- Diurnal of Occurrents* . . Bannatyne Club. 1833.
- Epis. Reg. Scotorum* *Epistolæ Regum Scotorum.* Edited Thomas Ruddiman. Edin. 1722.
- H.J.S.* *The Historie and Life of King James the Sext.* Bannatyne Club. 1825.
- K.J.S.* Rait, Robert S., and Cameron, Annie I., *King James's Secret.* Lond. 1927.
- Labanoff Labanoff, Alex., *Recueil des Lettres de Marie Stuart, Reine d'Écosse.* Lond. 1844.
- P.C.* *Register of the Privy Council of Scotland.* Record Series.
- R.M.S.* *Registrum Magni Sigilli Regum Scotorum.* Record Series.
- Robertson . . . Robertson, Wm., *The History of Scotland.*
- Teulet *Papiers d'État relatifs à l'Histoire de l'Écosse au xvi^e siècle.* Edited A. Teulet. Bannatyne Club. 1852.
- T. and S.P.* . . *Catalogue of Tudor and Stuart Proclamations.* Edited Robert Steele. Oxford, 1910.

ERRATUM

- P. 148, note 2. *For* Sir William Stewart of Monkton *read* Sir William Stewart, afterwards of Houston. (*S.P.*, vii. 64-8; and cf. *Dict. Nat. Biog.*) He was not the brother of the Earl of Arran.

THE WARRENDER PAPERS

Nos. I-XLIII: INTRODUCTORY

THE forty-three documents in this section form a rich and bewildering miscellany. Some of them have been already printed or calendared with more or less accessibility ; but the effect of their classification here is to show at a glance the manifold variety of Scotland's interests and activities in this period when great issues were at stake. This is a picture of sufficiently inherent interest, but greater value is added to it by the publication of other documents, hitherto unprinted. The final result is a mirror of events during the minority and personal reign of Mary Queen of Scots.

Only the first four documents lie outside this period, and all of these have an ecclesiastical interest. The first is a curious exchange of pretensions, challenges, and taunts, awakening echoes of a distant controversy in a foreign land : the third and the fourth show how in the Scotland of James v. church benefices had become pawns in a game of bargaining and diplomacy. More important than these, however, is an ecclesiastical document of Mary's reign, the commission of legacy to Archbishop Hamilton in 1552 (No. XXXI). This gives us authentic information for the first time in Scottish record as to the precise functions and powers enjoyed by a legate *de latere*. It enables us to realise more fully why the Pope was as loath to grant the boon as the prelate was covetous to possess it. Besides this, it illumines the state of the Church, and is not without importance in its economic and administrative bearings.

Other papers in this section deal, more or less directly, with the foreign relations of Scotland and with the general trend of European affairs. The letter of Mary Tudor, with its reference to the unfortunate ambassador of Muscovy, is an interesting document in this class (No. XXXIV); but it must yield pride of place to the Guise correspondence. In the war despatches of the Cardinal of Lorraine the student of military campaigns will find circumstantial bulletins from high quarters: the ordinary reader will find, interspersed with the destinies of nations, pleasing traits of family solidarity, domestic solicitude, and of anxious hearts in war time.

Other light is also thrown upon the foreign relations of Scotland, as, for example, with the Danish monarchy. The Papers show clearly that the 'reciproque and gude affectioun' of these two nations was grounded upon economic and diplomatic foundations (Nos. XV, XXXVIII). The magnitude of nearer and more pressing problems enabled contemporary Scots to 'flee the clos' when the question of Orkney and Shetland was raised, and has almost wrapped in oblivion to posterity the whole protracted 'contraversie' anent the redemption of these Isles (No. XXXVIII).

Home affairs presented more urgent and more momentous issues, before which the Norwegian question sank into insignificance. Strong governance was needed; and what steps were taken 'to caus gude reull tobe observit and kept' on the Borders in 1561 can be read in the 'generall band' at Jedburgh, a commentary upon the social, no less than upon the political and judicial, state of the country (No. XXXV).

On the occasion of the restitution of Lennox, Maitland of Lethington pointed out to the Estates of Parliament that, after three years of Mary's 'moderat kynd of regiment' the country enjoyed 'present peax with all foryne

nationes' and 'quyetnes amongis your selfis' beyond the memory of living man. The restoration of Lennox and the Darnley marriage did not, unfortunately, lead to permanent 'gude harmony . . . in the commoun weill,' nor to that 'felicitie' for which the orator looked under Mary's 'happy government' (No. XXXIX). The Proclamation of the young King and Queen, denouncing their rebels, indicates that from the beginning things went not well (No. XL), while the two following documents show how speedily matters moved from bad to worse. Within three years the period of the 'harmony and accord of the politic body,' of which Lethington had fondly dreamed, came to a tragic termination when the Lords made their 'band' and took up arms 'to revenge the Kingis murthour and putt the Quenis grace to libertie out of the thraldome of the erll Bothuill' (No. XLII), and when Mary left a chest of finery behind her in the house of the Laird of Fawside (No. XLIII), after Carberry Hill, when she passed out of one 'thraldome' into lifelong captivity.

I

5 December 1301.

BONIFACE, BISHOP, SERVANT OF THE SERVANTS OF GOD, TO
PHILIP, KING OF THE FRENCH.

Fear God and keep His commandments.

We wish you to know that you are subject to us in spiritualities and temporalities. No collation of benefices and prebends pertains to you, and if you have the custody of any vacancy (*vacantem custodiam aliquorum*) you shall reserve the usufruct to the successors. And if you have collated any, we decree the collation to be held invalid, and revoke the same in so far as it may have proceeded. Those who think otherwise we consider fatuous.

'The king of France ansuer.'

PHILIP BY THE GRACE OF GOD KING OF THE FRENCH, TO
BONIFACE, BEARING HIMSELF AS POPE, GREETING LITTLE
OR NONE.

Know, most eminent simpleton (*tua maxima fatuitas*), that in temporalities we are subject to no one. The vacancy of all churches and prebends pertains to us by royal right, and we take up their fruits to defend ourselves profitably against all possessors. Those who think otherwise we consider foolish and demented. *Datum.*

Latin: copy, $\frac{2}{3}$ p. Vol. B, 303v.

Printed in *Acta inter Bonifacium VIII. etc. et Philippum Pulc.*, 1614. There, the first letter is dated at the Lateran non. Dec. anno 7 [5 December 1301]. The second concludes, '*Datum Parisius, etc.*' This copy must have been made at the time of, or very shortly after, the publication of the book.

II

31 August 1458.

Ratification by James II. of a letter testimonial or confirmatory, granted by the late William [de Landallis],

Bishop of St. Andrews, to the Prioress and convent of the monastery of nuns at Haddington, at St. Andrews, 20 May, 1359. The royal confirmation is dated at Edinburgh, 1458, 22 James II.

Latin: copy, $2\frac{1}{3}$ pp. Vol. A, 351.

Printed in *R.M.S.*, ii. 610.

III

Clement VII. to James V.

21 March 1525.

We have recently expressed in other letters our satisfaction with the love and agreement between you and your uncle, Henry VIII. Nevertheless, since some monasteries have fallen void in Scotland,¹ you have written to us, first in general terms, and then more particularly, and also the said King Henry has written and declared that you and your realm were so dear to his heart that he mightily entreated us to bear towards you the same loving mind that we bear towards him. And we have caused these other letters to be directed to you, announcing firstly how glad we are of your elevation to the kingdom,² and to hope and trust that you will show the same devotion that your father, grandfather and ancestors showed to the Holy See; and then to offer our benevolent assistance, as the office of a good pastor and your virtue demand. As to what most pertains to the benefit of your personal communion with the whole of Christendom, we ask and exhort you to keep inviolably a perpetual bond of intercourse and friendship with King Henry, your uncle. It behoves you as a dutiful son to show zeal and service towards him, so that by a tie of mutual benevolence, firstly the affairs of your kingdom shall be stable and tranquil, and then all Christendom (which now is lacerated by wars and discords on every side)

¹ Melrose and Dundrennan. See letter of Henry in Theiner, *Vetera Monumenta*, DCCCCLXIII, p. 546; see also Herkless and Hannay, *Archbishops of St. Andrews*, iii. 144.

² James V. was installed as king on 26 July 1524 (Dunbar, *Scottish Kings*, p. 228).

may receive great fruit, and accept your example of happy agreement as a good augury for the beginning of a common peace. We, whose care it chiefly is to conciliate peace and benevolence everywhere, advise you paternally that you study to have and retain the great goodwill of your uncle, the King of England. This we will consider good service to us, for so great are the merits of the English King towards us and the Holy See, that we will always hold as faithful and acceptable devotion to us, whatever touches him and his estate; for there is no kind of service by which he has not endeared himself to us and the said See. Since, therefore, King Henry wrote particularly to us anent the vacancy of these monasteries in your kingdom and wished that we collate them at your pleasure, we will do this the more willingly that we likewise incline to your own desire and intercession. Whereas, also, he writes that he hoped for nothing in these times more eagerly than that the state of your kingdom should be stable, even should your cause move us not a little (whom we love as a son), nevertheless, these things having happened by his will, it is needful to us and the Holy See (from which you look for these offices and benefices which are owing to the virtues of your character and to your ancestors) that we exhort your highness to preserve the bond of peace and love with your uncle. Rome, 21 March, 1525, anno 2.¹

Latin: copy, 1 p. Vol. B, 303.

IV

Donatio seu provisio abbacie seu commende, reservato usufructu resignantis.

[*temp.* Jac. v.]

Formula of grant of provision or commend of Abbey of A made by James [v.] with advice and consent of Lords of Privy Council to N for life; which Abbey or commend pertains to royal disposition through resignation made by

¹ Clement VII. was crowned 25 November 1523. (Table in Dunbar, *Scottish Kings*, 2nd ed.)

N abbot or commendator and his procurators, at Holyroodhouse, with reservation and regress, as below. Granting to said N full power of enjoying, using and possessing foresaid abbacy with all its lands etc., with power of revoking whatsoever infeftments, tacks, or other rights granted by his predecessors, also with power of setting the tithes etc. in feu-farm, rental and tack at his pleasure in so far as conformable with the laws and constitutions of the realm; with reservation of the usufruct for life to the foresaid N, resigning. And if it should happen that foresaid N should predecease N,¹ N by virtue of the presents should have full and free regress and ingress in and to the title of the abbacy without any new provision. Also reserving life dispositions and stipends to the ministers present and future serving at the parish churches of foresaid abbey according to tenor of the act of parliament thereanent, with order also to Lords of Council and Session to direct letters under the four forms, and other needful execution.

Latin: copy, 1½ pp. Vol. B, 298v.

V

20 April 1543.

General letters of recommendation, granted by the Earl of Arran, Governor, in favour of John Forestar, merchant of Leith.

Palace of Holyrood, 20 April 1543.

Latin: copy, ½ p. Vol. B, 290v.

Printed in Ruddiman, *Epis. Reg. Scotorum*, ii. 154; calendared, *Henry VIII. Papers*, xviii. part i. no. 429.

VI

Earl of Arran, Governor of Scotland, to Paul III.

[14 May] 1543.

Recounts the state of Scotland since the death of James v. Places the kingdom under protection of Pope,

¹ *Sic.* Both the resigner and the new grantee are denoted N.

and begs to be invested with ecclesiastical patronage in certain instances specified.

[Hamilton, 14 May 1543.]

Latin : copy, $\frac{3}{8}$ p. Date and signature wanting. Vol. B, 281^v.

Printed in Ruddiman, *Epis. Reg. Scotorum*, ii. 157; Theiner, *Vetera Monumenta*. MLXIV. p. 614; calendared, *Henry VIII. Papers*, xviii. part i. no. 542.

VII

Mary Queen of Scots to Christian III.

10 June 1543.

Recapitulates former letters concerning government and policy of Scotland. Begs him to use his influence to secure trading facilities for Scottish merchants in Prussia.

Linlithgow, 10 June 1543.

Signed : Jacobus gubernator.

Latin : copy, $\frac{1}{2}$ page. Vol. B, 270^v.

Printed in Ruddiman, *Epis. Reg. Scotorum*, ii. 160; calendared, *Henry VIII. Papers*, xviii. part i. no. 682.

VIII

Governor Arran to Christian III.

5 August 1543.

Recapitulates former letters, and advertises him of events in Scotland, with special reference to the Treaty of Greenwich.

Palace of Holyrood, 5 August 1543.

Signed : Jacobus gubernator.

Latin : copy, $\frac{1}{2}$ p. Vol. B, 269.

Printed in Ruddiman, *Epis. Reg. Scotorum*, ii. 165; calendared, *Henry VIII. Papers*, xviii. part ii. no. 16.

IX

1 November 1543.

Letters of marque against the Portuguese granted by Mary Queen of Scots to the nephew and heir of John Bertoun, to whom James IV. had granted similar letters, on account of a ship captured by them on its return from Flanders. In the previous year a herald was sent to the

King of Portugal and brought back the royal procurator, Gaspar Apalpa, who undertook to pay some thousands of crowns within twelve months, otherwise Bertoun was to be free to take reprisals. Sixteen months have passed without any mention of payment, wherefore letters of marque can no longer be withheld.

Palace of Edinburgh, 1 November 1543.

Latin : copy, $\frac{1}{2}$ p. Vol. B, 303^v.

Printed in Ruddiman, *Epis. Reg. Scotorum*, ii. 166, which supplies the date.

X

Mary Queen of Scots to Charles V.

11 November 1543.

Begs protection for some Scottish ships, trading to Lower Germany.

Palace of Edinburgh, 11 November 1543.

Signed : Jacobus gubernator.

Latin : copy, $\frac{1}{2}$ p. Vol. B, 269^v.

Printed in Ruddiman, *Epis. Reg. Scotorum*, ii. 168; calendared, *Henry VIII. Papers*, xviii. part ii. no. 368.

XI

Mary Queen of Scots to the Lord of Veere

11 November 1543.

Being uneasy about the international situation, she begs him, in the name of ancient friendship, to use his influence to protect Scottish ships trading to Lower Germany.

Dated and signed as in the preceding.

Latin : copy, $\frac{1}{2}$ p. Vol. B, 270.

Printed in Ruddiman, *Epis. Reg. Scotorum*, ii. 169; calendared, *Henry VIII. Papers*, xviii. part ii. no. 369.

XII

*Governor Arran to the Imperial Council at the
Hague in Holland*

16 December 1543.

Demands restitution of a Scottish ship, seized without

cause, coming from Dantzic with supplies : and begs for freedom of commerce between Scots and Hollanders.

Palace of Edinburgh, 16 December 1543.

Latin : copy, $\frac{1}{2}$ p. Vol. B, 270.

Printed in Ruddiman, *Epis. Reg. Scotorum*, ii. 177 ; calendared, *Henry VIII. Papers*, xviii. part ii. no. 500.

XIII

Governor Arran to Henry VIII.

19 January 1543-4.

Requests safe-conduct for Scottish commissioners.

Edinburgh, 19 January 1543.

English : copy, $\frac{2}{3}$ p. Signature wanting. Vol. B, 286^v.

Printed in Ruddiman, *Epis. Reg. Scotorum*, ii. 181 ; calendared, *Henry VIII. Papers*, xix. part i. no. 44.

XIV

*Mandate from the Governor to the Patriarch of Aquileia
to be transmitted to the Pope*

[29 February] 1543-4.

1. He shall show forth the situation in Scotland, and the dire need of the Scots for help, especially in money.

2. He shall state the case for the grant of a legacy to the Cardinal of St. Andrews : and crave the same.

3. He shall endeavour that the messenger sent with him to Rome for the sake of a subsidy return not empty.

Latin : copy, 1 p. Undated. Vol. B, 290.

Printed in Ruddiman, *Epis. Reg. Scotorum*, ii. 190 ; calendared, *Henry VIII. Papers*, xix. part i. no. 138 (2), which furnishes date.

XV

Mary Queen of Scots to Christian III.

30 April 1544.

The wars and strife of the two past years have prevented the Governor from advertising Christian III. of the

unhappy state of Scotland ; but he now sends his kinsman, John Hay, for whom credence is requested.

Edinburgh, 30 April 1544. By the hand of the Governor.

Latin : copy, $\frac{1}{2}$ p. Vol. B, 271.

Printed in Ruddiman, *Epis. Reg. Scotorum*, ii. 201 ; calendared, *Henry VIII. Papers*, xix. part ii. no. 437.

XVI

*Mandate for Christian III. by John Hay in name of
Mary Queen of Scots and Governor Arran*

.. April 1544.

First of all, after delivery of the letters, the King of the Danes, the Queen and all the Danish nobility are to be greeted in the name of Mary and Arran. Next, the ambassador will signify that although Mary is of the tender age of fifteen months, she is whole in mind and body, and, please God, will be a great joy and honour to King Christian and other kindred and confederate kings. Then he will show that the late King of Scots was all his life kindly disposed to the King of the Danes, his very old ally, but was prevented by reason of his tender age, or of domestic disturbances or of neighbouring wars, from showing how he cultivated and loved the King and all the Danes, from whose stock he was sprung.

After the death of James, Parliament decreed Arran, as nearest of kin, to be Governor of the Queen and realm, and next heir to the same.

The Ambassador will show that the Governor is desirous to preserve the ancient friendship between Scots and Danes : that he and the Scottish lords will be attentive in all things which may touch the Danes and their dominions.

He will recount how the King of England solicited the late King James, his sister's son, to break the old alliance of France and Scotland ; how when he could not obtain his end, he sent, two years since, a fleet of forty ships to ravish the Scottish coast, and, simultaneously, a land army of 40,000 foot ; but this army the late King, without

suffering loss, compelled in October to retire across Tweed.

Then about the end of November King James sent some 10,000 men into the western parts of England. Several Scottish nobles were captured by the English and taken to London, where, at the following Epiphany, they were treated with greater honour than became captives; since King James had died in the preceding December.

At the time of his death and for fifteen years before, the Earl of Angus and his brother, traitorous Scottish nobles, had been cultivated by the King of England, who, on learning of the death of King James, immediately permitted them and the above captives to return to Scotland with their children and goods, promising that he would enter into peace with the Scots, while they promised to work for peace and a marriage between Queen Mary and Edward, Prince of Wales.

This pact being utterly unknown to the Scots, the Governor in full convention restored the above Earl and his brother to their honours and estates.

Immediately after, Scots ambassadors were sent to England to treat of peace and matrimony. The contracts were drawn up at the beginning of the following July with the stipulation that they should not be fulfilled before the next September, and that ratifications should be rendered on each side.

On the return of the ambassadors, announcing that the peace had been published by royal edict in London and other English towns, the Governor likewise ordered it to be proclaimed in Scotland. Confident of this peace, several rich ships, bound for France and Flanders, set sail in the month of August from Scottish ports, but were driven by adverse winds into various English ports. At first they were well treated, but shortly afterwards, by the order of the King of England, the ships were seized and the merchandise disposed of. Nevertheless, at the beginning of September the Governor did not fail to send the ratification of the peace and matrimony by new ambassadors.

The King of England, however, refused to give his ratification to the ambassadors, according to the obligation. In this way, as in the seizure of the ships, he openly violated the peace.

On account of this violation the Scots parliament renounced the treaties on 9 December. The King of England now puts greater hope in nourishing the dissensions of the Scots than in matrimonial alliance.

Nevertheless the Governor and all ranks of Scots omitted no occasion of reconciling peace with the English, and often sent heralds with letters to request safe-conduct for ambassadors to treat of peace.

Things standing thus, the Queen, Governor, and Scottish nobles doubt not that the King of the Danes will show himself their champion against the inhuman enemy. The Scots are determined, under God, not to suffer their ancient kingdom to fall into servitude, provided that the Danish King and other confederate princes will give a measure of support.

Since the greater the number of the friends and allies of Scotland, the greater the terror inspired into her enemies, it is hoped that the King of the Danes will renew the old treaties between Scotland and Denmark. To this end, the ambassador will present his special mandate in the Danish council. The Scots desire this renewal the more because they are aware of the alliance made a few years previously between the Kings of Denmark and France, and which the French King led King James to believe was to be of perpetual duration.

And because in the old treaties between the Norwegians and Scots it is expressly stipulated for mutual help against all enemies, the ambassador is to exhort the King to come to aid the Scots in the present war.

After this he will request licence for citizens of Edinburgh and other merchants to buy and export engines and munitions of war.

Similarly he will beg licence to buy and export corn and other such merchandise. And if by chance these commodities are not procurable in Danish dominions, the King

is to be requested to write commendatory letters to his allies requesting freedom of negotiation for the Scots.

Latin: copy, $4\frac{1}{2}$ pp. Vol. B, 288.

XVII

Mary Queen of Scots to Henry VIII.

21 June 1544.

Refers to political situation, requests safe-conduct for ambassadors, and begs truce for one month.

Streviling, 21 June 1544.

English: copy, $\frac{2}{3}$ p. Vol. B, 287.

Printed in *Hamilton Papers*, ii. no. 271; calendared, *Henry VIII. Papers*, xix. part i. no. 750.

XVIII

Mary of Lorraine to Henry VIII.

29[? 19] July 1544.

Acknowledges his letter sent by Rothesay Herald, but postpones her answer until the assembling of Parliament at Edinburgh on the last day of the month. Begs for a truce of twenty days for the sake of the better accomplishment of all things.

Castell of Striviling, 29 July [1544].

Vernacular: copy, $\frac{1}{2}$ p. Unsigned. Vol. B, 287^v.

Calendared, *Henry VIII. Papers*, xix. part i. no. 939; under date 19 July.

XIX

Mary Queen of Scots to the Senate and People of Hamburg

6 December 1544.

Desires that justice may be obtained from Asmus Lok, of Hamburg, who failed to fulfil a commercial contract with Magnus Mowat, Scottish merchant, and his partners.

Edinburgh, 6 December 1544 [*ad sextum nonas Decembris*].

Latin: copy, $\frac{1}{2}$ p. Vol. B, 270^v.

Printed in Ruddiman, *Epis. Reg. Scotorum*, ii. 228; calendared, *Henry VIII. Papers*, xix. part ii. no. 712, where the Scottish merchant is named James Mowat.

XX

30 December 1544.

Letters of marque against the English granted by Mary Queen of Scots to Nicholas Hay with his ship the *Little Martin*, to take reprisals arising from the present state of war, and refusal of the English to make restitution. Signed by the Governor.

Edinburgh, 30 December 1544.

Latin: copy, $\frac{1}{2}$ p. Vol. B, 304.

Calendared in *Henry VIII. Papers*, xix. part ii. no. 793.

XXI

1545, *et seq.*

Historiae compendium de origine et incremento Gordoniae familiae, Johanne Ferrerio Pedemontano auctore, apud Kinlos fideliter collectum. 1545.

Latin: copy, title-page, preface, 1 p., text, $10\frac{2}{3}$ pp. Vol. A, 246.

Printed in *The House of Gordon*, vol. ii., New Spalding Club, 1907.

The Warrender copy bears trifling omissions and differences, and two pages are transposed. It gives the date of the death of Adam Gordon, Earl of Sutherland, wrongly as 17 January 1541. Cf. *supra*, p. 27; *Scots Peerage*, viii. 337.

Appended to the History is *Epitaphium Alexandri Gordonii Huntlei Comititis eius nominis secundi, authore Georgio Buchanano*.

$\frac{1}{2}$ p. Vol. A, 253.

The epitaph, with English translation, is printed as that of Alexander, first Earl of Huntly, in *Records of Aboyne*, p. 395 (New Spalding Club). The first Earl of Huntly was 'second of the name,' inasmuch as his father, Alexander Seton, by his marriage with the Gordon heiress, was first of the name, founder of the house.

XXII

Mary Queen of Scots to Charles V.

29 April 1545.

Refers to her father's desire to cultivate the Burgundian alliance. She has commissioned her first secretary, David

Painter, to investigate the causes of recent misunderstanding and to renew the old bond.

Dated at Stirling, and signed by Governor at Edinburgh,
29 April 1545.

Latin : copy, $\frac{3}{8}$ p. Vol. B, 291.

Printed in Ruddiman, *Epis. Reg. Scotorum*, ii. 247; calendared, *Henry VIII. Papers*, xx. part i. no. 611.

XXIII

*Mary Queen of Scots to Mary of Hungary, Governor
of Flanders*

30 April 1545.

Rehearses commercial grievances and other points of the mission of Painter, with special reference to the attitude of Henry VIII.

Dated at Stirling, and signed by Governor at Edinburgh,
30 April 1545.

Latin : copy, $\frac{3}{8}$ p. Vol. B, 291^v.

Printed in Ruddiman, *Epis. Reg. Scotorum*, ii. 248; calendared, *Henry VIII. Papers*, xx. part i. no. 616.

XXIV

*Mary Queen of Scots to the towns of Lubeck, Hamburg,
and others*

1 May 1545.

Requests them to aid in prosecution of Bochartus Cloch of Lubeck.

Stirling, 1 May 1545. Signed by Governor at Edinburgh.

Latin : copy, $\frac{3}{8}$ p. Vol. B, 290.

Printed in Ruddiman, *Epis. Reg. Scotorum*, ii. 253; calendared, *Henry VIII. Papers*, xx. part i. no. 636.

XXV

Mary Queen of Scots to Henry VIII.

27 May 1545.

Begs safe-conduct for ambassadors to treat of peace.
Castell of Striviling, 27 May [1545].

English : copy, $\frac{1}{2}$ p. No signature, Vol. B, 287^v.

Calendared, *Henry VIII. Papers*, xx. part i. no. 819.

XXVI

1547.

A proclamatioun maid be the Protectour of England
the tyme of the field of Pinkie.

That the late King Henry VIII. and Governor Arran, with advice and consent of the Scots parliament, had agreed to the marriage of Edward VI. and Mary Queen of Scots as being 'most expedient alsweill to the glorie of God, the honour and suretie of both the princess of England and Scotland and the weill and benefite of thair realmes and subjectis.' That for the 'godlie fulfilling' of this marriage, he is 'now upoun grite deliberatioun had befor hand with sundrie godlie and wyse men alswele of England as of Scotland come into this realme, nocht as an inymie to the quene or ony of hir realme that mynd the perfectioun of this peax and conjunctioun in mariage of both princes, bot as a freind and conservatour of thame.' That the appearance of force is only to withstand the opposition. That 'We mynd nocht by this conjunctioun of mariage to do ony moir prejudice to this realme of Scotland than to the realme of England, bot with the advise of the noble men and gude men of baith the realmes to unite thame togidder in ane name by the name of Britounis and in suche a freindlie kynd of leving and suche a libertie and preservatioun of the lawis of Scotland with a indifferent administratioun of justice to ilk persone equalie as they sall weill find both the glorie of God and his worde advanced, the bischop of Romes usurpted jurisdictioun abolisheit, the honour of baith the realmes preserved and the subjectis of the same weill satisfied and contented.' That he exhorts all good Scotsmen to assist in this cause, and solemnly promises freely to accept the 'sufficient assurance' of all who will come in and agree to 'this most godlie purpois.' That he grants safe-conduct and satisfaction to all who bring provisions to the camp; and hopes on the march to cause 'the leist hurte or dampnage' possible to sup-

porters, 'sauffing sumquhat in forage quihilk can nocht be avoyded quhair ane army mercheis.'

Copy: 1½ pp. Vol. B, 272v.

Calendared, *T. and S.P.*, i. no. 312.

XXVII

Marquis of Mayenne to Mary of Lorraine

19 September 1548.

A personal letter. Hopes to accompany the Cardinal of Guise on a short visit to Rome.

Fontainebleau, 19 September [1548].

A LA ROYNE DESCOSSE.

Madame, je nay voullu faillir a vous escriptre par ce porteur la deliberacion que a prinse Monsieur le cardinal de Guise de faire debrief ung voiage a Romme, auquel jespere l'accompagner.¹ Madame, jay entendu qui s'approche de vous quelque armee danglois. Je voudrois bien quil soffrist occasion de me trouver aveques vous, car je vous assure, madame, que je me sentirois hureux de vous veoir et que cest le plus grand de mes desirs. Au demourant, Madame, nous faisons tous bonne chere. Madame, apres mestre humblement recommande a vostre bonne grace je suppliray le Createur vous donner en sante bonne et longue vye. De Fontainebleau le xix^{me} Jour de Septembre.

votre tres humble et obessaante frere,

†CLAUDE† DE LORRAINE.

French: original, ½ p. Vol. B, 463.

†† Only Christian name is autograph.

XXVIII

The Cardinal of Lorraine to Mary of Lorraine

1 March 1551-2.

Refers first to personal and family matters. The King expects to be at Joinville on 20 March. He goes from Follembray to Guise to-morrow

¹ On 20 October 1548, the Duchess of Guise wrote to her daughter that the Marquis and the Cardinal were, to the best of her belief, at that moment in Rome; but that they counted on being home at Christmas. (*Balcarras Papers*, ii. p. 13, Scottish History Society, 1925.)

(2 March), and the Duke and Duchess have gone there in advance to take order for his reception. The army destined for the invasion of Germany will pass through Lorraine, but the King has promised to commit no injustice there if the inhabitants give no provocation. As the Constable has informed the Dowager of occurrents, the writer need not send a longer letter.

In a holograph postscript he assures her that the King has never shown greater favour to the House of Guise. He is grieved to hear of her indisposition, and when the war is over he hopes that she will return to France.

Follembay, 1 March 1551-2.

A LA ROYNE DOUAIRIERE DESCOSSE.

Madame, ce porteur vous pourra dire comme il estoit depesche et prest a monter a cheval quant je suys arrive en ceste court ou je suys de retour venant de Reims depuys hier seulement. Et pour ne le retarder davantage je suys contrainct user de briefve lettre, sans aultrement m'eslarger a vous discourir de nos affaires, ny des votres, desquels jay aujourd'hui en nouvelles de Marmaigne mon secretaire de qui je vous envoie les lettres et le double de l'arrest, affin que par la vous puissiez veoir comme il en va. Ou vous verrez Madame comme vous avez este condampnee a ung tiers des despens funeraulx qui ne se monteront pas a grande somme. Quant au faict de votre douaire il est a votre advantaige comme verrez. Il [*sic*] suys bien marry de navoir loysir de vous en discourir plus particulierement. Mais il ne m'est possible pour le haste de ce porteur; ce sera pour la premiere occasion. Jay este a Joinville et au retour jay passe a Reims. Madame notre mere et nos seurs sont, Dieu mercy, en tresbonne sante. Le Roy faict son compte d'estre audiet lieu de Joinville le xx^e de ce moys. Monsieur de Guyse mon frere et Madame ma seur sont partis a ce matin pour aller devant a Guyse donner ordre a y Recepvoir le Roy qui part demain de ce lieu pour y aller. Notre voyaige dallemaigne continue et passeront par le pays de Lorraine, ou le Roy nest delibere faire aucun tort combien que plusieurs soyent d'opinion contraire, et le nous a ainsy promis ledict sieur, pourvoir que ceulx dudict pays se gouvernent sagement en son endroict et ne luy donnent occasion de mal contantement, a quoy je

desire fort que ceulx qui en ont le gouvernement veuillent entendre pour veoir demeurer les choses en bonne amytye de ce couste la envers ledict seur. Monsieur le Connestable ma dict que par ceste depesche il vous faict part de toutes choses, de quoy ma asseure Laubespine, qui me gardera pour ceste heure vouz faire pluslongue lettre pour me recommander tres humblement a vostre bonne grace. Priant Dieu vous donner, Madame, en parfaicte sante tres-bonne vie et longue. De Forrembray, ce premier jour de Mars 1551.

†Madame, le Roy ne nous fit jamais si bonne chere quil faict, et voyant cela tout le demeurant suit de facon qua ceste heure tout est appaise de tous coustes et nest nouvelles du passe que de faire grant chere, neanmoins nous venons a la coustume et nia, Dieu mercy, une seulle pieque qui soyt publique et nay rien qui me donne peine que ce que vous nous escripvez de votre indisposition. Pour Dieu, Madame, gardez vous, et, ceste guerre finie, revenez vous anverz nous. La Royne vostre fille se porte tresbien.

Vostre treshumble et tresobeissant frere,

C. CARDINAL DE LORRAINE.†

French: original, 2 pp. Vol. B, 477.

†† Holograph.

XXIX

The Cardinal of Lorraine to Mary of Lorraine

5 June 1552.

Sends news of the German campaign. The French army entered Luxemburg between Sierck and Thionville, captured the castle of Rodemacher, and have arrived before Thionville. The King is determined to capture this town and to spend the summer in sieges. The Emperor has been reduced to extremity by Duke Maurice of Saxony, who surprised him at Innsbruck and forced him to flight. In Italy the French cause is successful. With the Pope there is a peace in which the Emperor wished to be included, so that Parma [?] and district are now at liberty.

The King has been constrained to send the Duchess of Lorraine into Flanders, because her intercepted correspondence revealed treasonable practices with the enemy. The King, however, will see that no inconveniences shall ensue, that Metz and Toul be sufficiently fortified and the

province preserved for the little Duke, who is with the Dauphin in France. The Queen is at Châlons, and the King is greatly pleased with her conduct of his affairs.

The writer is sending Peguillon to settle the financial affairs of the Dowager; and in order that she may live more at her ease, the King considers that in the meantime Scotland need not declare war against the Emperor. Concludes with family news.

The Camp, near Danvilliers, 5 June 1552.

A LA ROYNE DOUAIRIERE DESCOSSE.

Madame, Je vous ay dernièrement escript bien au long des nouvelles de notre voyaige d'almaigne; depuis nous avons tourne bride et pris notre chemin en ce pais de Luxembourg entre Cierque et Thionville, et sommes passez par ung chasteau nomme Rodemag qui est au marqu[s] de Baude, lequel, nonobstant quil fust assez fort et pour nous amuser bien longuement, nous prismes des le premier jour. De la nous nous sommes acheminez devant ceste ville ou nous arrivasmes hier et commencerons au jourdhuy a faire les approches. Et combien que ce soit une des belles places de ceste frontiere et autant forte et bien assise quil est possible den veoir, neantmoins le roy, voyant lestonnement des gens de ce pais, et que ceulx qui avoient occupe Stenay ou ledict Seigneur avoit entrepris d'aller premiere-ment nont este si hardiz que dattendre, il a delibere pour- suivant sa bonne fortune ne partir de devant cestedicte ville sans la prendre, et ne faire aultre chose tout cest este que d'assienger places et villes puisqu'il plaise a Dieu luy prester tant dheur et fauoriser ses affaires comme Il a faict jusques a ceste heure au tres grand desavantage de l'empereur, que le duc Maurice a reduict a une grande extremite ayant gaigne le pas de lescluse, et poursuivy ledict empereur jusques a Ispurg ou il la trouve en desordre, prins son artillerie et tout ce quil avoit, et la contrainct de fuir en ung chasteau qui est au Roy des Romains ou il s'est retire. Du costé d'Italie nos affaires si portent le mieulx quil est possible, car nous avons la paix avec le pape¹ en laquelle ledict empereur a voulu estre compris, voyant quil ny

¹ April 1552. The war was over the question of Parma and Piacenza (see *Cambridge Modern History*, iii, chap. iii.).

pouvoit autrement remedier, de sorte que Parme et l'Amirande [*sic*] sont maintenant en liberté. Et ny avons ung seul ennemy qui na moins donne daccroissement a la gloire du Roy que de diminution a la reputation dudict empereur. Pour le peu desesperance que tout le monde auoit que jamais on les pense saulves et que ledict seigneur en deust sortir a son honneur et faire lever le siege quilz ont soustenu par si long temps. Au reste, Madame, le roy est contrainct de faire retirer en Flandres Madame de Lorraine pour ses mauvais deportemens en l'endroit dudict seigneur qui ont este decouverts par lettres d'elle, qu'on a trouvees et déchiffrees et veu ses practiques et menees et les capitulations quelle avoit avec les ennemis jusque a mettre les places de Lorraine en leurs mains et plusieurs aultres mauvais offices quelle faisoit, a quoy le roy donnera si bon ordre quil nen viendra inconvenient, delibera de nesloigner ce pais que Metz et Toul, ou il faict ordinairement besongner, ne soient mis en bon estat de sorte que jamais il nen puisse venir faulte; et par ce moyen le pais de notre petit duc, qui est en France avec Monsieur le Daulphin, sera en seureté, que nous esperons si bien garder quil ne perdra chose du monde. La royne est tousjours a Chaalons en tres bonne santé (Dieu mercy) et faict si bien les affaires du roy par dela que ledict seigneur en recois ung merueilleux contentement. Jay faict partir Peguillon¹ de ce camp pour aller donner ordre aux vostres, lequel sen va passer par devers tous voz recepveurs pour leur faire rendre compte, et recevoir leur reliqua que jespere sera suffisant pour satisfaire a vos debtes et pour vous envoyer argent ainsi quil vous a pleu mescripre. Vous avez entendu par Monsieur Doysel bien au long de nos nouvelles, et verrez par la despesche que vous porte le herault darmes comme la Roy na este dopinion que pour ceste heure la guerre fust declaree entre les Escossois et lempereur, affin que vous puissiez vivre plus a votre aise. De ce qui surviendra cy apres je ne fauldray vous tenir ordinairement advertie. Cependant, madame, je vous assure que madame nostre mere, de qui jay receu

¹ Gilbert de Beaucaire, Seigneur de Puiquillon.

lettres ou elle me mande quelle sen va faire sa feste de Penthecouste a Reims, est en tresbonne santé, aussi sont tous noz freres et seurs. Vous povez penser, Madame, que voyant nos dicts freres au danger ou ilz sont ordinairement exposez en ceste guerre, je ne puis estre a mon aise, car encores hier le cheval de Monsieur de Guyse fut blesse dessoubz luy en remarquant la place d'ung coup de harquebuse, mais il n'eut point de mal, Dieu mercy, auquel je prie les vouloir tousjours preserves, et quil vous donn[e] Madame (apres mestre treshumblement recommande a vostre bonne grace) en parfaicte sante tresbonne vie et longue. Du Camp pres Danvilliers Ce v^{me} Jour de Juing 1552.

† Madame ceste lettre est commune pour monsieur mon frere qui travaille depuis le matin jusques au soir Comme font tous les aultres et ensamble vous presantons noz treshumbles recommandations.

La Royne vostre fille continue en sante en beaute et en vertus.

Vostre treshumble et tresobeissant frere,

C. CARDINAL DE LORRAINE.†

French: original, 3 pp. Vol. B, 480.

†† Holograph.

XXX

The Cardinal of Lorraine to Mary of Lorraine

25 October 1552.

Sends news of the war. The Emperor has arrived for the siege of Metz, but the Duke of Guise is determined to defend the town. The French were successful in the first skirmish, and in Picardy also the enemy have retired. Concludes with personal news and reassures the Dowager in a holograph postscript.

Rheims, 25 October 1552.

A LA ROYNE DOUAIRIERE DESCOSSE.

Madame je nay voulu perdre loccasion de vous escripre par la depesche qui vous est faicte presentement, et vous dire comme lempereur avec son armee est aujourd'hui aupres de Metz en deliberacion de lassieger. Monsieur nostre frere qui est dedans est bien delibere daultre couste de

le bien recepvoir, et faire teste. La place est si bien munye, et luy si bien accompaigne de tant de gens de bien (entre lesquels sont noz deux jeunes freres) quil ne fault point, Madame, que vous soyez en doubte deux. Car jespere, Madame, que ledict empereur ne sy fera que morfondre et ny gaignera rien, sil plaise a Dieu se rendre favorable pour nous a la fin comme au commencement, vous assurant que la premiere escarmouche qui lont faicte devant ladiete ville, qui feut mercredy dernier, voulans recognoistre la place ilz nont eu du meilleur, et feurent si bien soustenuz que non obstant que de leur couste ilz feussent six pour ung des nostres, sil ny eut il [*sic*] perte de noz gens (que s[e]pt ou huict) et quelques ungs de blessez; des leurs beaucoup davantage. Je ne faudray, Madame, vous tenir ordinairement advertie de tout ce qui nous surviendra, et principalement dudict couste de Metz. De celluy de Picardie les ennemys se sont retirez, nayant sceu faire aultre chose que brusler et gaster le plat pays ¹ et nya rien de nom que Chaulny Noyon et Nesles.¹ Ilz pensoient bien prandre la faire. Mais on y donna si bon ordre, qui sont passez sans y mal faire. Toute ceste compaignye est en tresbonne sante, et mesmes le Roy et la Royne, les quelz ne partent point encores de ce lieu, ou est Madame nostre seur avec son petit filz, qui est bien le plus beau et le plus joly quil est possible de veoir. Nous y attendons Jeudy prochain Madame nostre mere avec le reste de noz petitz enfans, qui sont tous en bonne disposicion. Aussy est la Royne vostre fille, dont jay eu nouvelles depuys huict jours. Qui est tout ce que je vous puis escrire pour le present. Me recommandant tres-humblément a vostre bonne grace, je prie Dieu vous donner, Madame, en parfaicte sante tresbonne vie et longue.

De Reims, ce xxv^{me} jour doctobre 1552.

† Madame, encoires que se siege soit ung terrible tourmant si fault-il ne san point trop attrister, car jespere que Dieu nous y aidera. Vous ariez pitie de veoir nostre poure seur tant elle est desolee et a ce que tantant Madame ne lest pas moins. Il y a ames avecques nostre frere, le prince de la

¹ These words are inserted in margin.

Rochefurcon, les ducs de Nemours et de Castres, monsieur de Monmerancy, le seigneur Pierre et infinite de bons capitaines avecques sept mille hommes pour le moins, et si vous puis assurer quon faict faire force prieres. Sachant bien la peine ou vous en pourrez estre, vous en avez souvent advis.

Vostre treshumble et tresobeissant frere,

C. CARDINAL DE LORRAINE.†

French: original, 2 pp. Vol. B, 478.

†† Holograph.

XXXI

Commission of legacy from Julius III. to Archbishop Hamilton, appointing and constituting him legate de latere at the pleasure of the Holy See [about 1552].¹

[1552.]

The commission grants power:—

To hear and terminate matrimonial and benefice causes, and all others pertaining to the ecclesiastical forum, both of the first instance and by appeal even to the Apostolic See, with power to delegate, advocate, and restore *in integrum*:

To make notaries *juxta formam in quinterno cancellarie apostolice descriptam*, to create knights, counts palatine, poets laureate, and promote to degrees in Law, Theology, Arts and Medicine, granting the relative privileges:

To dispense with nobles and graduates for two incompatible benefices, and with regulars (mendicants excepted) of noble birth or graduate for two regular benefices, with or without cure, one in title (*etiam si conventuale vel claustrale existat*), the other (*quod commendari consueverit et conventuale vel claustrale non sit*) in commendation, with support of the charges upon fruits and without alienation of property or valuables:

To dispense (regulars included) with defect of birth for

¹ The text is corrupt. There are indications that it was probably written from dictation.

promotion to orders and holding compatible benefices, cathedral dignities and provostries excepted :

To dispense with the fourth, or third and fourth degree of consanguinity or affinity, or the impediment of *publica honestas* (*dummodo mulier propter id rapta non fuerit*) :

To dispense with adulterers to marry, provided they have not plotted the death of the deceased spouse :

To permit nobles or graduates to have a portable altar for use at suitable places and in exigencies, even before full daylight (*circa tamen diurnam lucem*), and offices for the household in places interdicted by ordinary authority, provided that celebration before day be sparingly used, *quia cum in altaris ministerio immoletur dominus noster . . . qui candor est lucis eterne convenit hoc non noctis tenebris fieri sed in luce* :

To grant (regulars excepted) a confessor to absolve *juxta formam in quinterno cancellarie annotatam* :

To indulge seculars for life, by themselves or with one companion or familiar, to recite offices (*extra tamen chorum*) according to the use of the Roman Church, even *juxta ritum breviarum noviter impressi* :

To permit honest women to enter nunneries four times in the year for devotion, along with honest matrons and by consent of superiors, provided they do not pass the night :

To empower rectors of parish churches and other cures to absolve in cases where the ordinaries may do so, provided they are not reserved to the Apostolic See :

To permit any (monastics and mendicants included) to visit personally the Holy Sepulchre and other sacred places in the Holy Land :

To indulge for use of butter where there is no oil, *et personis quibuscunque ut de alterius caseo et lacticiniis ac infirmis ut de utriusque medici consilio carnibus vesci . . . valeant* :

To relax oaths *ad effectum agendi* and *simpliciter*, provided that no prejudice arises to any :

To absolve and rehabilitate perjured persons :

To absolve those promoted to orders *per saltum vel furtive*, and dispense for further promotion :

To absolve from simony in obtaining benefice or orders and from censures incurred, dispensing with irregularity (*non tamen in contemptum clavium*) and conferring benefice anew, provided that fruits have not been received :

To absolve for holding above one year, without dispensation for non-promotion, benefices requiring priesthood or other order, and to promote anew, *dummodo fructus ex eis indebite non susceperint* :

To absolve for violence to clerk or priest not involving mutilation and death :

To absolve from rapine, sacrilege, etc., committed in time of war, satisfaction having been given :

To absolve for omission of canonical hours, or for saying them not at the due time or *inadvertenter* :

To absolve regulars from apostasy through delay in assuming the habit or otherwise incurred :

To dispense for irregularity howsoever contracted (wilful homicide and 'bigamy' excepted), even through sentence of blood and *ultimum supplicium* following, or through mutilation, in order to take orders (*citra tamen altaris ministerium*) and receive compatible benefices :

To proceed against falsers of papal letters, schismatics, heretics, etc., absolve penitents at discretion, and rehabilitate :

To visit churches, monastic houses, colleges, etc., even if immediately subject to the Apostolic See, and reform in head and members :

To confirm, supplement, or modify statutes of churches, universities, and conventual orders, consistently with ecclesiastical liberty :

To permit ecclesiastical persons (mendicants excepted) to make testament *juxta formam quinterni cancellarie* :

To receive and admit resignations, *simpliciter* or for exchange, of benefices even generally reserved (except *ratione officialium sedis*), and cessions of right in commendas litigious *extra Romanam curiam*; to confer said resigned benefices, and others in Scotland, howsoever vacant, even if generally reserved (except *ut supra*) and affected by lay patronage, *dummodo dignitates majores et principales non*

existant; to grant fruits of benefices vacant otherwise than by resignation, not exceeding £10 sterling; in exchanges to confer compatible benefices, and incompatible where there is dispensation, *cum opportuna derogatione juris patronatus quoad beneficia per resignationem ex causa permutationis tantum vacantia*:

To provide in his diocese for vacant monasteries not taxed in the books of the Camera and under 200 ducats gold thereof, and for nunneries of any order, without prejudice to any right of election:

To commend such houses, if wont to be so given, for life or for a term, so that commendators after supporting burdens *juxta formam Lateranensis consilii novissime celebrati* may dispose upon fruits without alienation of property and valuables:

To create supernumerary canons, with chapter consent, and to cause admission of those in whose favour resignations and cessions are made *in auditorio rote palatii apostolici*:

To impose pensions (not exceeding one third) on resignation or cession, with consent of the party paying and regress in default; and to annul said pensions and others, *etiam anticipata solutione aliquorum annorum*:

To absolve from censures for effect of graces he may grant, and that his letters may hold *pro expressis* benefices held by Apostolic dispensation, their values, and the tenors of the dispensations:

To suspend in resignations letters, faculties, and mandates of the Pope or his legates in favour of whatsoever persons:

To relax seven years and seven quarantines to those visiting churches at two festivals:

To authorise any to exchange immovables of monasteries, dignities, parsonages, etc., to give long leases, or to feu (*in feudum et emphyteosim concedere*) when evident advantage is shown after cognition:

To authorise any desirous of founding churches or houses *de novo* to do so in suitable places, impose burdens upon the holders, and reserve heritable right of patronage:

To confirm leases and alienations of immovables of

churches, monasteries, etc., if proved to have been *in evidentem utilitatem*:

To derogate from right of patronage for effect of provisions and commends (*ea vice tantum pro medietate vel si lis pendeat aut juspatronatus non ex fundatione vel dotatione acquisitum sit in totum derogandi*):

It is specially provided that, if he confers benefices above 24 ducats *auri de Camera*, recipients must within 8 months impetrate new provision at the Apostolic See, expedite letters, and pay dues of the Camera and other charges, on pain of vacancy: also that transumps of these presents, even printed (*etiam per impressionem*), with his seal and subscribed by his secretary or ruler of chancery (*regens cancellarie*), likewise his letters granted thereupon without insertion of the presents, should have faith.

Latin: copy, 12½ pp. Vol. A, 78. Undated but *circa* 1552.¹

XXXII

The Cardinal of Lorraine to Mary of Lorraine

3 February 1552-3.

Recommends Pierre Girard for the office of Secretary to the Queen of Scots.

Amboise, 3 February 1552-3.

A LA REYNE EN ESCOSSE.

Madame, il me souvient que j'ay veu ung roolle signe de vostre main auquel nommez le sieur Dottigny et aultres pour le service de la Royne ma nepce, entre autre Pierre Girard² argentier de feu monsieur de longueville mon nepueu frere de vostre tresorier pour lestat de secretaire. Et pour aultant, Madame, que je le sans cappable et digne de tel estat, mesmes quil a este nourry en votre maison et en la nostre, vous ay bien voulu escrire la presente pour vous supplier oultre ce quil vous a pleu cy devant luy en accorder par ledict roolle en la faveur de madame ma mere lavoit pour lamour de moy en bonne souvenance et luy continuer

¹ 'On 3 September, 1552 [Hamilton] exercised authority as legate *a latere*. No relative papal deed has been discovered, and no writing shows why, after long delay, the dignity was conferred.' (Herkless and Hannay, *Archbishops of St. Andrews*, v. 68.) Professor R. K. Hannay kindly revised this abstract.

² For references to this Pierre Girard, see *Balcarres Papers*, ii. *ad indices*.

ceste bonne voullonte en cest estat que je vous ay dresse en blanc, et envoie service. Madame, je supplieray nostre Seigneur vous donner en heureuse vye et longue tresbonne sente. Damboise ce iij^{me} jour de Feburier 1552.

Vostre treshunble et tresobeissant frere,

C. CARDINAL DE LORRAINE.

French: original, $\frac{1}{2}$ page. Autograph signature. Vol. B, 479.

XXXIII

Anthoinette de Luchansdelle to the Queen

Undated.

An undated letter, with recommendation of service.

A LA ROYNE.

Madame, ce mest vu bien sy dure que de me pouvoir representer par lestre a vostre Majeste voiant mesme quil eu la pour desagreable, je prans la hardiesse par cest occasion sans retournant l'ambassadeur de vostre Majeste Monsieur de Louir descrire a vostre Majeste et luy ramantevoir par y celles sa servante tres humble qui na plus grande ambisions que de porter la calite, Madame, de Vostre tres humble et tres obeissant servante,

ANTHOINETTE DE LUCHANSDELLE [?].

French: original. Holograph. $\frac{1}{2}$ p. Vol. B, 457.

XXXIV

Philip and Mary to the Queen Dowager

5 December 1556.

Rycht excellent, rycht heich and mychtie princesse our dearest suster and allia We recommend ws hairtly unto yow, and quhair of laitt within these four or fyve yeiris certane of the subjectis of this our realme have with our gude licence usit to trafficque into the partis of Muscovia aboute the feate of mercheandice, Forasmuch as we be now gevin to undirstand that a certane schip nameit the *Eduard Bonaventur* being frauchted be our saidis subjectis, and cuming oute of the saidis partis of Muscovia with divers mercheandice amonting to a grite soume wes of lait dryvin upoun the coist of that realme and thair be the force of tempest lost; In quhilk schip amangis utheris come a personage of

gude estimacioun sent frome the duke of Muscovia or prince of Russia in ambassade with certane giftis and jewellis to be presented unto us, quho with sum of the rest that wer in the said schip to the nowmer of xvi persones wer saved and escaiped verry hardelie with ther lyves, being nevirthless spoiled of all that evir thai had be the inhabitantis of the cuntrey thair: Albeit we doubt nocht bot ye will of your awne godlie inclinacioun and of the zeale ye beir to justice have suche consideracioun and pietie of these men being strangearis in a foreyne cuntrey, and in this extremitie and distress, as thay may throw your help and assistance be releved and have the guidis that wer saved frome the sea wrack and spoiled be those of the cuntrey ther restorit agane unto thame,¹ Yit have we also for oure part thocht meit maist hairtly to desire and pray yow the rather at the contemplacioun of these our lettres, and in respect that the said ambassadour is sent in message unto ws, nocht onlie to caus boith him and those uther of our subjectis that wer saved in his cumpany tobe restorit unto thair saidis guidis jewellis lettres and other thingis that wer spoiled and takin frome thame, thay paying ressonabill for the labour and chargeis of suche as saved the same, bot also to grant your lettres of licence and saulfconduct, alsweill unto thame as to our loving subjectis Laurance Hussy doctour of Givile [*sic*],² George Gilpin gentilman, Jhone Lewis mercheant and Robert Best, quho ar presentlie sent thither for the sollicitioun of this mater and conducting thither of the said ambassadour, to pass and continew ther aboute this thair besynes, and repas hither agane with the saidis guidis and uther thair necessaris and furnitour without ony lett or molestatioun, and to be weill used and succoured to suche thingis as thay salhave neid of for thair ressonable money during ther continwance in that realme; quharin as ye sall

¹ On 24 February 1556-7, the Privy Council of England thanked Lord Wharton 'for his diligence in the accompanying and enterteignment of the Embassadour of Russia and in the meting with the Scottishe attemptates.' (*Acts of Privy Council of England, New Series*, vi. 56.) Other references to the ambassador are found at pp. 27, 52, 54, 57. An account of this incident is given in Hakluyt's *Voyages*, ii. 350 ff. (Glasgow: MacLehose, 1903.)

² 'Doctor of Civil Law.'—Halkuyt,

do a rycht gude and cheritable deid, so sall ye therby gif ws caus to schaw the like gratuitie towardis suche as salbe heireftir upoun lik occasioun recommendit unto ws frome yow: and this rycht excellent, rycht heich and mychtie princes our darrest suster and allya we committ yow to the tuitioun of almychtie God. Gevin undir our signet at our manour of Saint James, the fyft of December the third and fourte yeiris of our regne. Sua is it subscryvit, your gude suster Mary, and on the bak, To the rycht excellent Rycht heich and mychtie princess the Quene Douagier of Scotland.

Copy: 1 p. Vol. B, 298.

XXXV

28 November 1561.

The copy of the generall band maid at Jedburgh
the 28 of November 1561.

Be it kend till all men be thir present lettres Ws quhais names ar undirsubscryvit to be bundin and oblist and be the faithis and treuthis in our bodyis bindis and oblissis ws and our airis to our soverane Lady and hir successouris, For-samekle as hir grace hes directit hir dearest brother my Lord James Stewart¹ with certane otheris of the counsale and nobilitie of this realme to the partis adjacent to the realme of England to putt gude ordour in the cuntrey and to caus gude reull tobe observit and kepit amangis all our soverane Ladyis liegeis for ther rest eise and tranquillitie, and to caus the inhabitantis of this realme use and possess ther landis rowmes fredomes and privilegeis quhatsumevir frelie and quietlie conforme to ressonne equitie and justice; And we, willing to shaw our selfis obedient subjectis and faithfull liegeis to our soverane Lady and hir gracis auctoritie and to concour fortifie and assist to hir graces honorable and resonabill purpois at the uttermost of our pouveris like as we have bene in tymes bipast to hir majesteis maist noble predecessouris, Thairfore in all tyme cuming we sall keip and caus be kepit gude reull within our boundis for obeysance of

¹ 'Whill the court was mindefull of nothing but pleasures and prodigalitie, the borderers brake louse. Lord James, made Lieutenant since the queene's arrivall, as David was made captan by Saul against the Philistins, as was suspected, was sent to the borders to repress them.' (Calderwood, ii. 157.)

our soverane Ladyis auctoritie eise and weill of the cuntrey in maner as eftirfollowis. That is to say, gif ony persone duelland within our houssis upoun our landis or within our takkis stedingis rowmes possessiones or bailliereis committis ony cryme sik as tressone fyre rasing murthure revessing of women slauchter mutulacioun thift ressait of thift foirthocht felony commoun oppressioun hamesuckin ressett of persones at the horne assistance to thevis or tratouris, eftir the committing of ony sic falt, we or ony of ws undir quhome the said persone duellis, being requirit therto be the quenis auctoritie or be hir justice or justice clerk, sall entir the persone dilaitit of the faltis ane or ma, other in generall justice airis or particular dietis as we salbe requirit upoun xv dayes warning, to undirly the law for the samen crymes that they ar dilaitit of befor the justice or his deputis, ilk persone undir the pane contenit in the actis of parliament, and becumis souirtie therfoir to the secund air or courte peremptour and sall ansuer to our soverane Lady and hir successouris for the eschete guidis. In cais the persones or ony of thame beis fugitive and will nocht compeir and undirly the law for sik crymes as thai salbe dilaitit of, we sall expell and putte thame furth of our boundis heritaigeis takkis stedingis rowmes and bailliereis ther wyffis and bairnes and sall tak ther stedingis and takkis fra thame and putt in utheris persones to use and occupy the same and sall hald the malefactouris ther wyffis and bairnes perpetuallie furth of the saidis takkis and stedingis. And gif it salhappin ony of the malefactouris to resorte and cum agane within our boundis and beis sufferit to remane therin xij houris be our witting, in that cais we grant and confess ws culpable and accusable of ony crymes or skaithis that it salhappin the saidis malefactouris or ony of thame to committ the tyme of ther returnyng or receptacioun. And alsua gif ony our soverane Ladyis rebellis putt to hir horne cumis within our boundis foirsaidis or within ony part of the schire quhair we duell, or gif ony conspiratouris aganis our soverane Ladyis authoritie happynnis to be or to cum within the cuntrey or schire quhair we duell, we sall ryis togidder aganis thame and with our kin freindis men

tennants servandis and adherentis persew tak and inbring thame to the law, gif it be in our pouer, and sall slay thame or putt thame furth of the cuntrey ; and to this effect we sall ryis and concur togidder to putt this to executioun aganis all rebellis conspiratouris and withstandaris of the quenis grace authoritie. And mairattour nane of ws sall assure or be assuirit be thevis of Scotland in tyme cuming ; Bot quhenewir that ony effray of thevis or raveris happynnis within our boundis foirsaidis we sall at the effray or forray, be our selfis oure servandis kin freindis and sa mony part-takaris as we may gett, ryis follow and persew the saidis thevis and raveris at the uttermost of our pouer quhen ony depredaciounes or masterfull reiffis beis maid be thame upoun ony Scottismen, as we wald do for the reskew of our awne propir guidis in cais thai wer in the samin danger, we being warnit be the schoute, bales in the cuntrey, or utherwise ; and gif it beis fundin that we ly still at sik effrayes foirsaidis and sufferris the saidis thevis or raveris to harye our Soverane Ladyis liegeis without making thame the impediment we may, than and in that cais we grant ws culpable and accusable of thair thiftuous and evill deidis and arte and part with thame therintill. And gif it happynnis ony stouth reiff or oppressioun tobe maid upoun ony persones be the inhabitantis of our landis takkis stedingis rowmes and bailliereis foirsaidis, it salbe lefull to the persone or persones quhome upoun the said reiff or stouth is committit be thame selfis or ony utheris in ther names to persew the thevis steillaris of ther guidis recentlie, viz. within foure dayes nixt eftir thai be stowin, as thai best pleis for recovering of ther awne guidis agane. And quhen thai gett sure advertisement that the thevis or thift be ressett within our boundis foirsaidis and cumis and schawis the same to ws, we salbe haldin outhir be our selfis or ane of the special men of our kin or autentik servand to ryde serche and seik the saidis stollin guidis throwout all our boundis, and gif the samin beis apprehendit and fundin therin, to mak dew restitutioun to the partie complener without ony forther dilay and to put the steillaris to our soverane Ladyis justice tobe punist for thair demereittis

gif thai can be apprehendit. And gif we failzie heirin we ar content tobe haldin culpable and accusable of the crymes foirsaidis and as favouraris assistaris and parttakaris with the saidis thevis in ther thiftuous and evill deidis and tobe callit and punist therfor with rigour, and heirin we sall do all our possible diligence, quhairin gif we failzie we ar content to abyde the knowlege of ane assyis quhenewir and in quhat place it sall pleis our soverane Lady and hir successouris to call ws tobe accused, and gif it beis fundin that we ar culpable or faltive of ony the premissis, it salbe lefull to hir grace and hir successouris to punishe ws be deid, prisoning, or confiscatioun of our guidis at thair will and to hald ws culpable of all faultis tobe committit be malefactouris that we gif ony favour or assistance therto. And als nane of ws sall ressave nor ressett within our boundis ony person that is fugitive fra the law or is expellit or putt oute of ony uther manis boundis, and gif we or ony of ws dois in the contrare, to incur the panes abonewritten and to be procest and punist therefore as we or ony of ws ressettis thevis within oure awne boundis. And mairattour we ar content that this band be insert in the buikis of adjornall and to haif the strenth of ane act therof, and that [for] the saidis crymes of thift ressett of thift assistance favouring or part-taking with thevis, and for the entering of the committaris of thift within oure boundis foirsaidis, thair be lettres direct upoun ws be deliverance of the lordis of counsall to compeir befor the justice or his deputis at generall justice airis or particular dietis upoun xv dayes warning at the instance of the quenis advocat or ony uther partie comperand or haveing interest. At Jedburgh the xxviiij day of November the yer of God 1^m v^c lxj yeris.

Copy : 2½ pp. Vol. B, 300.

XXXVI

Elizabeth to Mary

15 July 1562.

Rycht excellent richt hie and mychty Princesse our darrest suster and cousyn We greit zow wele. We have

send unto you our traist and weilbelovit servand Sir Henry Sideney Knycht President of our counsal[l] in Wales quhome We require that you will gif credite in such m[a]teris as he hath in charge to communicat unto you, and for the doing of any thing on oure parte toward you tending to our interview,¹ we do be these presentis sufficientlie authorise him. Gevin undir oure signet at our manour of Greenwich the xv of July in the fourth yeare of our reigne.

Your good sister and cousin,

ELIZABETH R.

Copy, $\frac{1}{5}$ p. Vol. B, 272.

Printed in *P.C.*, xiv. 182; Keith's *History* (1734), i. 219.

XXXVII

Eric XIV. to Queen Elizabeth

15 October 1563.

Marvels at the Queen's constancy in remaining so long unmarried on his account. Hopes that she will now marry him, and asks for letters of safe-conduct. Gislevend, in Småland, 15 October 1563.

Latin: copy, $\frac{3}{4}$ p. Vol. B, 269.

Calendared, *Foreign Papers*, *Elizabeth*, 1563, no. 1302. The first part of the letter is awaiting in the Warrender copy.

XXXVIII

1 June 1564.

Instructiones for oure familiar servitour and traist counsalour the Laird of Quhittinghame ² our ambassadour presentlie direct toward our gude brother and cousing the King of Denmark. At Edinburgh, the first day of Junij 1564.

In the first, eftir the presentatioun of our lettres and maist hairtlie commendaciounes to our said gude brother,

¹ A proposed meeting, at York, between the two Queens; postponed by Elizabeth by letters under the Great Seal, 15 July. Cf. *C.S.P.*, i. nos. 1126, 1127; D. Hay Fleming, *Mary Queen of Scots*, 70-73.

² William Douglas of Whittinghame. There is no reference to this commission in the records of the Privy Council. The initiative came from the Convention of Royal Burghs, which had 'lang reasonyng' on the subject in

ye sall declair unto him the eirnist gude will we beir nocht onlie to continew the ald amitie and confederatioun quhilk samony yeiris hes inviolablie bene observit betuix ws our dominionis and subjectis on baith partis, bot alswa to nurische and increse the same, gif neid wer, be all gude officeis of nyctbourheid and freindship, alsweill in respect of the auncientie therof, quhilk we wald be laith, being ane mater in the selff so lovable, suld in our tyme decay, as alswa of the proximitie of blude betwix our selffis the tendirnes quharof mon be nature wirk in baith our hairtis ane reciproque and gude affectioun of the ane towardis the other, besydis that the conjunctioun of twa nationes hes mony tymes, as may appeir be examples of antiquitie as alswa of lait age, bene verrie profitablie for the suretie of baith and for the intercourse of mercheantis and thair trafficque for baith is most necessarie. Thir and uther like consideratiounes worthie tobe weyed haif movit ws to importe unto our said gude brother in freindlie maner sik thingis as being ather novationes or injureis may be thocht onywise prejudiciall to the said auncient amitie or impede the subjectis in ather part to enjoy the fruct therof, nocht doubting bot as we on our part have evir bene willing, as is befor said, sa shall we find our said gude brother conformable to the like gude purpois, and to redress any thing tending to the contrare.

And first quhair in all ageis and past memor of man the subjectis of this realme mercheantis trafficqueing in the eist seis wer through oute our said gude brotheris haill dominionis mair favourable intertenyit then ony uther strangearis for respect of the ald lig and confideratioun, having be the princes and people of thay cuntreyis ma divers singulare and rare privilegis observed towardis thame, quhilkis customablie wer nocht grantit bot to there dearest freindis and confederatis, and speciallie in the payment of ther

February and March. Whittinghame was chosen as ambassador by the Queen from a list of names sent up by the burgh commissioners, and on 4 March they unanimously voted a tax of 2800 marks to defray the expenses of the embassy. (*Records of Convention of Royal Burghs*, 1295-1597, 528-530; cf. *A.P.*, ii. 544-545.)

tollis and customes, we haif hard that of lait yeiris our subjectis travelling through the strait of the Baltique sey ar burdeynit with new impositiones nevir cravit nor payit in ony age of befor, and speciallie of ald quhair the subjectis of this realme wer free to pas at there plesure for payment of ane rois noble or double doucatt for everie ship allanerly without ony forther exactioun, saulffing ane English grote or foure Dence schilling in contentatioun therof to the clerk of the toill for his wageis, quhilk rose noble and Inglis grote, as said is, servit for the haill schip persones and gudes being therin; now and of lait yeris our said dearest brotheris toilmasteris and custumaris have exactit rasis and causit our mercheantis to mak payment for everie schip passand that wey the hundreth penny of the guidis being therin in passing eist, as likwise the hundreth penny in thair returning west, togidder with ane rois noble and ane dolour, quhilk novatioun is havy to the subjectis of this realme as fer discrepant from the auncient ordour observit sen the first contracting of the league and confederacie betuix the nationes. And althocht the said new impost wes begwn the tyme of our lese age, and quhen we wer absent furth of our realme, at quhilk tyme nethir we in respect of our minoritie nor our tutouris and regent having the administratioun of the commoun effearis of our realme being distractit with uther extreme wearis mycht attend therto, yit we hoip that now quhen we require in sik freindfull wise the restitutioun of all thingis to the formare state, being boith be Goddis providence of abilitie as also of our awne naturall of will to acknaulege the benevolence quhilk ony of our freindis and confideratis sall declair towardis ws, oure said gude brother will nocht refuse this our sa ressonable request: Thairfore ye sall requeist him eirnistlie upoun our behalff for our contemptatioun to remitt the said new impost, being content for sik toll and custome as wes payit be our mercheantis in our predicessouris dayes.

And incais it be ansuerit unto yow that this alteratioun wes nocht maid be him selff bot be his father, ye sall reply that the same wes done in our leseage and troublous tymes

quhen na interpellatioun could be maid on our part, we haveing then extreme weir with the realme of England etc.

And gif it be alleget that princess commonlie be alteratioun of tyme will eik thair toillis and customes at ther plesuris, ye sall answer that nochtwithstanding that respect hes evir bene had to princes confederati . . . subjectis, and for example quher the maist chr'stin king of France als[o] in our minoritie rasis new customes upoun all mercheandice bocht or sauld in this realme yit upoun the first remonstrance maid therof upoun our behalff, in respect of the auld leg the same wes dischargeit immediately to all our subjectis.

Item quheras of ald in all tymes, the subjectis of this realme wer free to hew all kynd of tymmer in Norroway, laying of thair schippis therwith and transporte the same at thair plesour to the use of this realme for payment of ane ressonable toll ordinarie and knawne, we are informit that of lait tyme within thir fyve yeiris or therabout the subjectis of Denmark and Norroway ar dischargeit of sending ony tymmer to this realme as alsua of selling of all aikin tymmer and sawinedaill ¹ to our subjectis, and of all uther tymmer sauld to our mercheantis the tent penny of the prices of the haill schippis laiding is takin in name of toll. Thairfore ye sall desire inrespect of the said old amitie that this novatioun and new imposition tuicheing the tymmer be altogidder dischargeit and all libertie grantit to our subjectis to by and transporte at ther plesure for payment onlie of the ald customes quhilkis wer payit of befor this new impost and in our predicessouris dayes.

Item, ye sall declair that we ar informit that of lait sen the weiris began betuix our said gude brother and the king of Swathen ² divers schippis, quhair of ye have the speciall informatioun, perteinning to our subjectis laidnit with mercheandice hes bene takin be our said gude brotheris

¹ Oak and cut timber.

² 'The Northern Seven Years' War' (1563-70). It was a struggle for supremacy in the Baltic. 'The hereditary rivalry between the Scandinavian Kings . . . was now inflamed by the quest of empire on the eastern shore of the Baltic.' (*Cam. Mod. History*, iv. 162-163.)

schippis and his subjectis without ony just caus or offence maid be the mercheantis subjectis or cuntrey of Scotland as we understand, quhilkis schippis ar yit detenit, the mercheantis ransont and spoiled of thair guidis, utheris yit still deteyned captives. Quhairfore ye sall desire the schippis to be randerit with the haill guidis and gere being within thame the tyme they wer takin, or ellis the availl therof, the presonaris tobe putt to libertie and the ransonis that ar payit to be refoundit agane, inrespect that the foirsaidis thingis ar manifest diragotorye to the ald amitie betuix the nationes.

Item ye sall declair, we ar informed that this last symmer in the monethis of June and July divers our schippis of Scotland, cuming frome Danskine laydin with victuallis [*sic*: unfinished].

Item ye sall desire our said gude brother to caus be observit to our subjectis as freindis allyance and confederates all ald customes and privilegeis observit in tymes bigane and specialie the tyme of our maist noble fader and guidisire of gude memorie, all novationes exactiones and impositiones rasit of lait specialie in our minoritie to be abolist and takin away in all tyme cuming, like as for our part and upoun our behalff ye sall promeis to caus the like be done and observit to our said dearest brotheris subjectis within our dominiouns, alsua all gude officeis of freindschip tobe shawin to our said gude brother quhilk of ressonne may be demandit or luikit for at the handis of ane gude nychtbour allya cousing and confederat.

Item in cais ony thing be proponit to yow tuicheing Orkney and Zetland, twiche nawise that string, bot, safer as ye may, flee the clos, allegeing that ye ar nawise instructit ony thing in that heid, nor nevir hard ony questioun or contraversie maid within this realme at ony tyme bigane anent that mater, and therfor can gif na answer therto.¹

¹ During the minority of Mary the question of the redemption of Orkney and Shetland had been brought forward by Christian III. In 1560 his successor, Frederick II., renewed correspondence upon this subject. Whittinghame was questioned thereanent, and made a diplomatic answer in the spirit of these instructions. (Torfaeus, *Historia Orcadensis*, 215-217. Torfaeus misdates Whittinghame's letters of credence as 1 June 1569.)

Item quhairas we haif of lait ressavit lettres frome our said gude brother, quhairrof ye have the copy, quhairunto we promist to mak ansuer be yow, ye sall declair that we have grantit na support to the king of Swathin aganis him nor yit meanis to gif ony, bot rather gif our commoditie wald permitt wald favour him and his just caussis be all gude meanes for the tendirnes of blude and lang amitie standing betuix ws our prediccours and realmes, finding the like conformitie on his part in thir our ressonable desiris. Alwayes use the ansuer of that lettre mair cauld or mair frank in wordis as ye see him myndit to ansuer the thingis we demand be yow and his present state gevis you occasioun and baldnes to speik.

Item, finding ony gude mynd in him to ansuer you according to our expectatioun, ye sall declair for ane begynning and demonstracioun of our gude mynd to favour his present caus, we have grantit licence to certane gentilmen of experience and able for service in weir to serve him, quhome ye sall recommend in honnest maner, desiring that thay may be ather weill intertenyt and thankfullie ressavit, or at the leist have his gude favour, incais he will nocht interteny thame as appertenis, to returne towardis thair native countrey. M.R.

Copy, 3 pp. Vol. B, 304.

Printed in *P.C.*, xiv. 196-199.

XXXIX

c. 23 September 1564.

The oratioun maid be Williame Maitland of Lethingtoun younger, secretar for the tyme, in the parliament haldin be our soverane lordis mother Queen of this realme for the tyme, the tyme of the restitutioun of umquhile Mathew erll of Lennox.¹

My Lordis and uthiris heir convenit: Albeit be that it hes pleisit hir Majestie maist gracioslie to utter unto yow

¹ Parliament was convened at Edinburgh on 21 September 1564. On the 25th 'The Queen's grace harangued her Council' anent the restitution of Lennox. (*C.S.P.*, ii. no. 97.) No records survive in the printed Acts of Parliament.

be hir awne mouth ye may have sufficientlie consavit the caus of this your present assemblie, yit having hir Majesteis commandment to supplie my lord chancellaris¹ place, being presentlie as ye see diseasit, I am willit to express the same sum quhat mair at large.

Notour it is, how in hir hienes minoritie a process of forfaltour wes deduced aganis my Lord of Lennox for certane offenses allegeit committit be him specefeit in the dome and censement of parliament gevin therupoun,² be ressonne quhair of he hes this lang tyme bene exilit and absent furth of his native cuntrey. How grevous the same hes bene unto him it hes weill appeirit be diverse his sutes sindrie weyis brocht unto hir Majesteis knowlege, nocht onlie contening maist humble and dew submissioun, bot alsua beiring witness of his gude devotioun to hir Majestie his naturall princesse and eirnist effectioun he had to hir hienes maist humble service, gif it suld pleis hir Majestie of hir clemencie to mak him able to enjoy the benefite of ane subject. Mony respectis mycht have movit hir hienes favourable to inclyne unto his request, as the aunciencye of his hous and the surname he beiris, the honour that he hes to appertene to hir Majestie be affinitie be rassone of my Lady Margaret³ hir hienes aunt, and divers uthiris gude considerationes, as alsua the effectuous requeistis of hir gude suster the Queenis Majestie of England, quhais ernist recommendioun wes nocht of leist moment, besydes that of hir awin naturall hir Majestie hes a certane inclinacioun to pietye the decay of noble houssis, and as ye hard be hir awne reporte hes a grite daill mair plesour to be the instrument of the uphald maintenance and advancement of the ancient blude then to have mater ministrid of the decay or

¹ Earl of Morton. His indisposition, natural or diplomatic, was of short duration. He was present in Parliament on the 21st, in Privy Council on 23rd, and again on the 28th. (*C.S.P.*, ii. no. 97; *P.C.*, i. 280, 282.) The reduction of Lennox's forfeiture would enable his wife to renew her claims to the earldom of Angus, to the prejudice of Morton's nephew and ward. (See *Douglas Book*, ii. 290-291, 302-303, 324-325, iii. 255-261.)

² 1 October 1545. (*A.P.*, ii. 456-458.)

³ Lady Margaret Douglas, half-sister of James v. She was the daughter of the Queen-Dowager, Margaret Tudor, and the Earl of Angus.

ourthrow of ony gude race. Upoun thir occasionis hir Majestie the mair tendirlye lukit upoun his requeistis and hir gude suster the Queen of England favorable lettres writtin for recommendacioun of his caussis, in consideratioun quhair of nocht onlie hes scho grantit unto him hir lettres of restitutioun be way of grace, bot alsua licencit him to persew be way of reductioun the remedyis provydit be the law for sik as think thame selffis grevit be ony jugement unordourlye led and to haif the proces revewit; for examinacioun quhair of it hes plesit hir Majestie presentlie to essemble yow the thrie estaitis of this hir realme be quhais advise deliberatioun and decisioun at hir Majesteis mynd to proceed fordwart upoun his complaint at the meritis of the caus lawis of the realme and practik observit in sik caissis will beir oute. The summe of all your proceedingis at this tyme being be that ye have hard thus as it wer pointed oute, I mycht heir end gif the mater we have in handis gaif me nocht occasioun to eik a few maa wordis nocht far different fra the same subject, quhairin I wald extend the circumstanceis mair lairglye giff I feir nocht to offend hir hienes, quhais presence and modest nature abhorris lang speiking and adulation, and swa will compell me to speik sik thingis as may seme to tend to ane gude and perfyte point; and least it suld be compted to me as that I wer oblivious gif I suld omitt to putt yow in remembrance in quhate parte ye may accept this and the like demonstrationes of hir gentill nature, quhais gracious behaviour towardis all hir subjectis in generall may serve for a gude pruffe of that felicitie we may louke for undir hir happy government salang as it sall pleis God to grant hir unto ws. For a gude harmony to be had in the commoun weill, the offices betuix the prince and the subjectis mon be reciproque. As be hir Majesteis providence ye enjoy this present peax with all foryne nationes and quyetnes amangis your selffis in sik sort that I think justlie it may be affirmid Scotland in na manis age that presentlie levis wes in gritter tranquillitie, sa is it the dewtie of all ws hir loving subjectis to acknowlege the same as a maist heich benefite proceedinge frome the gude government of hir Majestie, declairing our

selffis thankfull for the same and rendering unto hir Majestie sik dew obedience as a just prince can luke for at the handis of faithfull and obedient subjectis, I meane na forceid nor unwilling obedience, quhilk I know hir nature dois detest, bot sic as proceidis fra the contemplatioun of hir moderat kynd of regiment will for luffe and dewiteis saik produce the fructis thairof. A gude pruffe have ye all in generall had of hir Majesteis benignitie thir thrie yeiris with the mair that scho hes lived in the governament over yow, and mony of yow have lairglie taisted of hir large liberalitie and frank dealing. On the other part hir hienes hes had large experience of your dewtifull obedience, swa it be-cumis yow to continew as ye have begunin, in considera-tioun of the mony notable exemplis of hir clemency above utheris hir gude qualiteis, and to abhoir and detest all fals bruitis and rumouris, quhilk ar the maist pestilent evillis that can be in ony commoun weill, and the sawaris and inventaris thairof. Then may ye be weill assuird to have of hir ane maist gracious princesse, and scho moist faithful and loving subjectis, and swa baith the heid and memberis being encourageit to mantene the harmony and accord of the politik body quhairof I maid mentioun befoir, as the glorie thairof sall partlie appertene to hir Majestie, sua sall na small prais and unspeikable commoditie redound thairthrow to yow all universalie hir subjectis.

Copy, 1 $\frac{2}{3}$ pp. Vol. B, 280^v.

XL

10 September 1565.

‘A proclamatioun maid in the tyme of the Queenis grace and umquhile Henry King of Scottis hir husband of gude memorie.’

They declare to all and sundry that the rebels falsely proclaimed their grievance to be ‘onlie religiou’ as a ‘plausible argument’ to win the support of the ignorant. The true motive is ‘unsatiable ambitiou’ to control ‘the use and haill administratioun of the kingdom,’ and is

subversive of the immemorial prerogative of the Scottish princes to chose their own council. They assure peaceable possession of goods and liberty of conscience to all dutiful subjects. ‘Gevin undir our signet, At Sanctandrois the tent day of September and of our regneis the first and xxij yeiris.’

Copy, 1 p. Vol. B, 282^v.

Printed in *P.C.*, i. 369, under date 3 September. Calendared in *T. and S.P.*, ii. p. 214, no. 136, which gives date 13 September. Reproduced in *Facsimiles, Nat. MSS. of Scotland*, iii. no. xlix.

XLI

May 1567.

‘Instruction to our trusty counsalour the Bishop of Dumblane to be declairid be him on our behalff to our maist darrest brother the maist christine king of France the quene our gude mother our uncle the cardenall of Lorane and utheris our freindis.¹ At Edinburgh the . . . day of Maij 1567.’

First, you shall make our excuses that the news of our marriage has reached them by the report of others, earlier than by our own announcement. The excuse must be chiefly grounded upon the ‘trew reporte of the Duke of Orknay² his behaviour and proceedingis towardis ws.’ You shall review his whole history ‘from his verrie youth’ when he succeeded his father: how he served our mother, the Queen Regent, faithfully and steadfastly to his personal loss: how he was driven by our rebels, with the support of an English army, to flee the country and seek refuge in France, where he continued to serve us until we returned to Scotland. Shortly before that time, in the wars against England he did such valiant service that in spite of his ‘verrie young age’ he was esteemed the fittest of all the nobility to be appointed Lieutenant General on the borders,

¹ Before Dumblane could deliver his message the French court had already received news of Bothwell’s flight and Mary’s captivity. (Calderwood, ii. 367.)

² Bothwell was created Duke of Orkney and Shetland on 12 May, the Queen herself crowning him with the coronet. (*Diurnal of Occurrents*, 111.)

and won fame both in France and Scotland for his 'mony notable interpryses.' After his return to Scotland his whole study was to promote our authority and to suppress our rebellious subjects upon the marches nearest England. In a short time he had reduced them 'to a perfyte quyetnes,' and intended to perform a like service throughout the realm. But a faction arose of his 'evilwillaris,' who spread such false reports and so misrepresented his actions that, to avoid 'forther contentioun,' which might have jeopardised the realm, we were compelled to commit him to ward, from which he escaped and fled to France. There he remained for about two years, until his old enemies, forgetting their allegiance, took up arms against us. Then he, being recalled and restored to his office of lieutenant-general, so promoted our authority that all the rebels had suddenly to seek refuge in England, until some of them submitted and were restored. How treasonably those unworthy creatures, whom we had exalted, rewarded us for bringing home the others, is not unknown to our uncle, and need not be dwelt upon. Yet it is worthy of record how dexterously he rid himself from those who then held us captive, and procured not only our deliverance, but also the dissolution of the conspiracy and the reinstatement of our authority. Since then he has always served us thus acceptably 'so that we culd nocht wishe mair fidelitie nor gude behaviour.' Since the death of the king our husband, however, 'his pretensis began to be heichear' and his proceedings 'sumquhat strange.' We have been highly offended with him, in the first place because he presumed to think that only the gift of ourself was sufficient reward for his services; secondly, for his craft, and then for his forcible attempt 'to have ws in his puissance.' His conduct herein is an example of how cunningly men can mask their designs until their plans are accomplished. We thought he continued in his ready service from a sense of bounden duty, without ulterior purposes. Thus we showed him the greater favour, as we would do to any noble men 'effectionat to our service,' little thinking that this would embolden him to seek 'ony extraordinare favour at oure

handis.' But he, seeking to turn everything to his profit, and keeping his purpose secret from us, used all his exertions to maintain our favour, what time he made secret overtures to win over the nobility to support his schemes. He proceeded so far, unknown to us, that during the assembly of parliament he obtained a band with all their signatures, not only consenting to our marriage with him, but also to promote the same with their lives and goods.¹ This letter he obtained by giving them to understand that we were 'content therwith'; and once he had obtained it, he began to disclose his intentions and to try to purchase our good will by 'humble sute.' But seeing that we were not inclined to fulfil his expectations, and pondering over all the impediments which might baulk his designs, he resolved to hazard all upon a sudden stroke. He seized his opportunity four days later when we were 'past secretelie' to visit our son in Stirling. On our return he waylaid us with a great force, and carried us swiftly to Dunbar. What we thought of such 'maner of dealing' is easy to imagine. We reproached him on the score of his honour, of our past favours and his ingratitude, and used all possible remonstrances to induce him to let us escape. Yet, although his actions were rude, his words were gentle: that he would honour and serve us, asking to be pardoned for his boldness in carrying us off to one of our own houses: that he was driven to this action by the vehemence of his love, and also for the safety of his own life: that he would escape from the 'hid malice' of his enemies only if we would honour him 'to tak him to husband,' protesting that he sought only our service, and 'na uther soveranitie.' And when he saw that we were likely to reject his suit, in the end he produced the band of the nobility and 'principale of our estaetis.' The king, the queen, our uncle and all our friends can judge of our astonishment at finding ourselves in his power, cut off from our servants and from all our councillors, the natural support of our authority. We

¹ This Band is printed by Anderson, *ut infra*, p. 197; Calderwood, ii. 351-355. Bothwell invited the nobles to a supper, and 'when they were weill cheered,' presented his astonished guests with 'a writ, to be subscribed.'

pondered many things but could find no way of escape, while he kept pressing us 'with continuall and importune sute.' In the end, seeing no hope of deliverance, we were forced to reconsider his proposals. We thought of his past service and offer for the future; the unwillingness of our people to have a foreign prince; that they would not allow us to remain long unmarried; that the realm, torn by factions, required a strong man to enforce order and support our authority; that we, 'being alreddy werayid and almaist broken with the frequent uproris and rebelliones,' could no longer sustain alone the burden of government; that we have had to make four or five lieutenants at one time in different parts of the realm, and that most of them have abused our authority to raise our subjects against ourself; that, of all our subjects, none could be preferred before him for worthiness, wisdom or valour. Therefore 'we war content to accomode our selff with the consent of our hail esteatis, quha, as is befoirsaid, had alreddy declairit thair contentationes.' After he had constrained us to his will, 'he pairtlie extorted and pairtlie obteyned oure promeis to tak him to oure husband.' Yet, still unsatisfied, and fearing some reverse, he would not agree to postpone the consummation of the marriage until we could communicate with the king, the queen and our friends in France, but drove us by persuasions and force to conform to all his desires. In this we confess that he has used us ill, seeking rather to satisfy the parties to his band than to please us or to consider our religion, which we never intend to leave 'for him or ony man upoun earth.' In this we are personally displeased, yet we will not have others lay it to his charge; 'for now sen it is past and can nocht be brocht bak agane we will mak the best of it.' And he must be considered as our husband, 'quhome we will baith luffe and honour, sua that all that professis tham selffis to be our freindis mon profess the like freindschip toward him quha is inseperable joyned with ws.'

Copy, 4½ pp. Vol. B, 277v.

Printed in Labanoff, *Lettres de Marie Stuart*, ii. 32; Anderson, *Collections, Mary Queen of Scotland*, i. 89; *P.C.*, xiv. 273.

XLII

[16 June] 1567.

'The band maid be the lordis to revenge the Kingis murthour and putt the Quenis grace to libertie out of the thraldome of the erll Bothuill.'

The late King Henry being shamefully murdered, all Christendom despised the whole Scots nation, so that no one, be he ever so innocent, dared show his face for shame in foreign lands. This was not without reason, inasmuch as no steps were taken, or were intended to be taken, for the 'just tryall' of the murderers, although they were sufficiently well known; the whole conduct of Bothwell during and since the time of the murder is a sure proof of his guilt. He delayed the trial, caused the rejection of the petition that those accused of the murder should be warded pending trial, interfered with the ordinary course of justice in 'ane inordinat proces' for his acquittal, and overawed his judges in the day of trial. He kidnapped and ravished Her Majesty, holding her captive at Dunbar. He procured a divorce against his lawful wife, both in the commissary courts and by the Church of Rome. His marriage with the Queen is unlawful by all the laws of God and man; and he refuses private audience of Her Majesty to all her subjects. We, therefore, having respect to our own safety, the preservation of the Prince, and the 'schamefull thraldome' of the Queen, have taken arms to revenge the murder upon Bothwell and his accomplices, to deliver the Queen, to preserve the life of the Prince, and to see to the impartial administration of justice. And we, the Earls, Lords, Barons, Commissioners of Burghs and others undersubscribing, enter into a band, as we will answer to God, to pursue 'the fairsaid querrell with our lyves landis and guidis at oure uttermoist.' At [Edinburgh] the [sextene] day of [Juniij] 1567.

Copy, 2 pp. Undated. Vol. B, 279v.

Printed in *P.C.*, i. 521, which supplies the date; Anderson, *Collections*, i. 134.

XLIII

*Inventory of contents of a chest left in the house of
the Laird of Fawside ¹ after Carberry Hill*

[June] 1567.

A dress of black tammy sewn with grains of jet.

A coat of crimson chamlet bound with a band of black velvet.

A plaid.

A great cloak.

A hat of gold and silver embroidery trimmed with a cord and plume of the same.

A small chest of sea wolf's skin, containing some linen.

Memoire de ce qui est en une malle qui est demoure
ou logis le Laird de Faseid.¹Une Roobbe destamet noir faict a la souvaige semee de
grains de gez.Une cotte de calemot cramoisy bandee dune bande de
velours noir.

Une plette.

Une grosse mante.

Ung chappeau faict en broderie dor et dargent garny
dung cordon et ung panache de mesmes.Et une petite mallette de poil de loup marin ou y a
quelque linge.[Endorsed] The Inventar of the quenis grace left at
Fawside after Carbarry Hill.

French: original, ½ p. Vol. B, 455.

¹ Thomas Fawside of that Ilk. 'The queene came furth of Seton to Fawside or Carbarrie Hill, above Mussilburgh,' with her forces to meet the Confederate Lords. (Calderwood, ii. 363.) She capitulated on 15 June 1567.

NOS. XLIV-LXXVIII: INTRODUCTORY

THE thirty-five documents in this section contain much new material for the period from the flight of Mary into England to the surrender of Edinburgh Castle, the last stronghold that held out for her in Scotland. With the fall of the Castle and the deaths of Lethington and Grange, the brain and the right arm of her cause, Mary's fairest hopes of ever returning to her kingdom in free regality or upon conditions perished.

She was an anointed Queen, young, fascinating, and ambitious, a pivot for domestic intrigue and for the diplomacy of the council boards of Europe, and for a time her hope of restoration seemed not altogether an idle dream. She had a party in Scotland. Argyle was active at the beginning as her lieutenant (No. XLIV); soon Lethington was corresponding with her and her English supporters; and the Instructions to her ambassador in France represented that she had a strong following in 1570 (No. LVI). This document shows that it was very largely a matter of personal allegiance; 'sa mony as dependis upoun' a territorial magnate ranging themselves under his banner.

On the other hand, it was a weak point that Mary was an abdicated princess, while her son was the crowned King of Scots, whose governors had 'possessioun of the state' and 'the reputatioun of auctoritie.' Not only were the Marian lords rebels against the constituted government, but they were 'wrakit and depauperat,' quite unable 'to withstand the Quene of Inlandis forces to be send in for fortificatioun of the quenes ennemys . . . except strenge

forces be reconterit with strenge forces and ayde of monye with the lyk.'

Scotland, in short, was not strong enough to set her own house in order, but at the same time her domestic affairs were matter of European import. This was clear to all thinking heads; and accordingly the affairs of Scotland fluctuated with the swing of the pendulum of European diplomacy.

Not less important than the international factor was the consideration that 'stregears ar myslykit and ar odious' to 'this peiple,' who remembered the 'domage' done by 'forraine men' in the time of the Queen's mother. It was this 'generale hatret and detestatioun' of French intervention that caused the Marian lords to recommend 'monsieur le chevallier' as a popular leader, because 'he was born of a Scotis woman speikis Scottis or at leist will easely lern,' and had 'proximitie of bluide . . . with the king of France.' It is interesting, also, that he was counselled to hold lavish entertainment and to make judicious disposition of favours, while the French auxiliaries were cautioned to come well provided with money; otherwise 'nocht onely will thay nocht be furnist of vivres [provisions] bot will mak all the commoun sort thair ennemys.' At that very moment the Earl of Sussex was approaching to the succour of the regency under pretext of pursuing fugitive English rebels. The Marian lords were driven to treat with him 'to se gif we may drywe tyme quhill we get support' (No. LVI).

England, France, and Spain were all interested in the fate of Scotland, but how far their interest would resolve itself into action was a question which depended upon many weighty considerations of European statecraft. In May, 1570, the King of France sent his resident ambassador with promises of 'more ample supplies' (Nos. LXII, LXIII). In June, the Bishop of Ross would 'refuis the aid nouth

of papist Jow nor gentil,' and in particular he looked to Flanders, 'for the Duk d'Alva hes gotten expres command of the king of Spane to gyve support' (No. LXIV). Mary's captive heart bounded with hope, raised by the report of 'ane gritt nwmir of soldiouris thair reddy to embark and na man knawis quheir. Bot I am assurit thai ar for my behuif' (No. LII). She was to learn, however, that the potentates of Europe were not disinterested champions on behalf of a hapless queen. Neither Spain nor France was in a position to break with England on account of Mary Stewart. On the contrary, political expediency drew the French and English governments together, and left Elizabeth master of the diplomatic situation. It is significant that in July, 1570, Mary wrote to Lethington 'quhat opinioun I have of the foreyne aide and quhat good apperance ther is of the same baith frome France and Flanderis, albeit the surest and best way wer to aggre with the quene of England as ye wryte' (No. LXV).

The negotiations to which she referred culminated in 'the articlis presentit to the Quene of Scotland . . . at Chattis-boroche the secund day of October 1570'; first, for a 'perfyte amitie' between the queens; then, for the restoration of Mary upon conditions, and other matters touching the affairs of the sister kingdoms (No. LXIX). These overtures proved abortive; and a year later Regent Mar, in the name of King James, besought English aid 'for pacifying of the troublit estait of our realme and reducing of the same to the universale and perfite obedience of ws, quhilk now first and chieflie consistis in recovering the libertie of the castell and toun of Edinburgh' (No. LXX). Events moved slowly, and many months were still to drag, with loss of life and goods, before Mary's flag ceased to fly from the Castle rock.

A preliminary step towards the reconciliation of deep

feuds between the great houses was effected, largely by English intervention, at the Pacification of Perth, in February 1572-3. By this date the government of Regent Morton was strong enough to refuse to admit 'ony equalitie to have bene or to be betuix our lauchfull auctoritie and the wrangfull and usurpit proceedingis of our disloyall subjectis, bot that all thing to be grantit be ws in ther favour is be way of grace upoun ther submissioun and offer of obedience' (No. LXXIV). At best, however, it was a compromise; the government apparently failed to support M'Intosh against Huntly, the Sheriff of Bute against the Hamiltons.

When these powerful clans and their supporters had come into the King's peace, the days of the Castilians, Mary's adherents, were numbered. Till the end they carried them with a high head; there was nothing abject about 'the particulair desire of the personis being in the castell, brocht out be the erll of Rothes' (No. LXXV).

Perhaps the demands of Grange reveal one reason why the 'feid grudge or inimyie' against him and his friends was bitter beyond reconciliation. 'My lord of Mortoun,' Glammis and others claimed 'title and interest' in the patrimony of leading Castilians; 'in the furthsetting of the commoun caus' the party of the Regency had also sought their particular profit. The government was fortified by English succours; the Castilians watched in vain for foreign aid, and were constrained to capitulate unconditionally at the end of May, 1573. With the happy death of Lethington and the ignominious fate of Grange, the land at last had rest from civil war.

It had been a time of much misery and lawlessness. Many of the burgesses of Edinburgh found themselves 'debarrit from the use and possessioun of thair awin be tyrannie' of the Castilians (No. LXX). Upon the Borders, peaceful lieges were 'gravely oppressed by the theft,

rapines and crimes of the inhabitants of these parts,' and by way of 'opportune remedy' a commission of lieutenandry with ample powers was granted to William Lord Ruthven 'for the punishment of our said malefactors, and their reduction to our due obedience' (No. LXXII). The 'Instructionis at St. Johnstoun,' a year later, draw a lurid picture of 'fire-rasing, slauchter, murther, revissing of wemen' and many another 'criminall deid' (No. LXXIII). There was need for the vigorous measures then devised for the restoration of a state of equity.

The correspondence with Veere shows also that the vicissitudes of domestic affairs reacted to the detriment of commercial relationships. In the strife of faction primary attention was not paid to 'small men whose sole wealth is in daily commerce' (No. LXXI; cf. XLIX).

Two Regents, the uncle and the grandfather of the King, had been slain within eighteen months: the latter in a skirmish of the civil war, the former a victim of personal grudge and family feud. The true aims and character of this Regent Moray have long been matter of perplexity to historians. Such students may find new sidelights in Lethington's letters at the time of his arrest. The Secretary's pen vividly recounts dark and mysterious transactions when 'never manis lyfe . . . wes in greater hasard then myne hes bene, which is miraculously preserved' (No. XLVIII). To those who can read, perhaps much can here be learned of Moray's 'manifest fraude,' of 'Mortonis feble hart,' and otherwise of the writer, his friends and unfrinds.

It is interesting that at this period Lethington looked to Leicester as a trusty patron south of the Border; while Mary herself wrote that 'sum supponis he [Leicester] is bot ane slak freind for Northfolk and me, bot I am suir aneuch gif he menit nocht weill to the Quene his maistres I wald nevir haif ane guid opinioun of him; bot he may desyre

hir to be suir and yit freind to me, as he is in deid' (No. LII). At the end of her days, Mary was indeed to find Leicester 'bot ane slak freind,' while more immediate events were to prove that Lethington, who had incurred 'great feid and enimitie' in advancing 'the Quenis effaris,' was deceived in his hope of 'the concurrence off mo then peraventure your majesty did loke for' (Nos. LXIV, XLVIII).

The opportunity went past for ever of finding an amicable settlement by 'the way off a treaty,' and when the two sides were 'dryven to haiff recours to strangeers,' the 'poore power' of Lethington and his fellow-Castilians, devoid of foreign aid, in the final contest could not withstand the guns of Morton and his English allies, nor avert the 'ruin' of their Queen and party. The Cardinal of Lorraine wrote more truly than he knew; the fall of 'Monsieur de Granges' did indeed mean the 'ruin of his Queen and of her fairest hopes of restoration' (No. LXIII).

XLIV

January 1568-9.

The proclamatioun maid in name of therll Ergile as liew-tennent to the Queenis grace¹ upoun the heidis contenit in the former proclamatioun quhilkis wer brutid and spred abroad in this realme afor my lord Regentis incuming fra England.²

Archibald erll of Ergill Lord Campbell and Lorne Justice Generall of the realme of Scotland and lieutenant to our souerane lady the Quenis majestie of this realme with the avise of the noble men being present with ws of hir consale To our lovittis etc. oure shereffis in that parte conjunctlie and severalie specialie constitute greeting. Forsamekle as it is notourlie knawin to all and sindrie our souerane ladyis trew liegis and subjectis how hir grace wes compellit and drevin be ane force of certane hir gracis unnaturall subjectis conspiratouris and rebellis to pas furth of hir awne realme in the realme of England for refuge and mere necessitie of hir lyffe, and scho being in the realme of England layd to hir charge be the saidis conspiratouris divers odious and abhominable crymes, they thinkand thair throw and throw thair fenzeit narratioun and falslie setting furth to uthiris nationes to mak hir grace detestable and abhominable to all christaine princiss, and to the effect foirsaid and for setting furth of thair fals and evill invented purpos consavid in there hertis aganis hir grace, past in the realme of England and persewit and accused hir gracis persone of the same, tending thairthrow to have brocht hir grace to ane shamefull confusioun. And the saidis conspiratouris accusatioun aganis hir grace being herd befor certane com-

¹ Argyle's commission was dated at Hamilton on 13 May 1568. (*Hist. MSS. Com. Report*, iv. 486.) See following document. According to Calderwood, Argyle's proclamation preceded that of Elizabeth (ii. 473-474).

² Regent Moray returned to Scotland on 2 February (Calderwood, ii. 477). He had been summoned to England to give evidence in the famous 'trial' of Queen Mary, when the so-called Casket Letters were produced.

missioneris of the realme of England, did there utter diligence that wes in thame in accusing hir grace of the samyn, wes honorabillie substantiouslie and justlie resewit be hir grace commissioneris to thair ignominy and turpitude. And the saidis conspiratouris, seing they culd nocht bring there purpois and wickit intent aganis hir grace persone to pas throw thair fals inventid crymes inventit and conspirt be thame aganis hir majestie to sett forwart thair wickit pretens, heapand treasone upoun tressone and for the distructioun of hir grace, hir graces sone our prince, and this our native realme and nobilitie thair of, hes offerit to the quene of England to putt our said princes person in the handis of the said quene of England togidder with the deliverance of the strenthis and castellis of Edinburgh and Striviling in the handis of England to be usit and kepit be thame to the said quene of Englandis behufe and to do that thing that lysis in thair power to putt all the remanent strenthis of this realme siclike in thair handis. And for forther bringing of this realme the nobilitie and the haill inhabitantis therof to utter rewyne distructioun subjection and bondage, our said prince being deliverit in England and strenthis foirsaidis in Englishmenis handis, it is provydit be the saidis conspiratouris that incais our said prince deceis or be putt down in the realme of England without successioun (as may utterlie appeir) the erll of Murray sall tak the realme of Scotland, tobe haldin of the quene of England as tributar and in few, be the quhilk peace and peace¹ sall draw the haill realme nobilitie and ancient blude thereof in miserable servitude and bondage and to be slaves siclike as we have to example in the Balliolles tyme.² And sen the same is inventid and con-

¹ peace and peace=little by little.

² According to Calderwood, 'After that the regent had obtained licence to returne, Queen Marie's missives sent to Scotland were intercepted.' In her letters she stressed the points of the indictment here made by Argyle, who published 'these calumneis . . . to stirre up the subjectis against the regent.' On the other hand, 'Whill the regent was upon his journey, returning home, Queene Elizabeth caused print the purgatioun following, both for her oune and the regent's credite.' The 'purgatioun' is the following document. See also letter of Mary in *Hatfield Papers*, i. 385 (*Historical MSS. Com.*).

spired be thre or foure perverst persones new stert up in honouris and nocht of the auncient nobilitie of this realme, it is maist detestable and sklanderous to ws amang all nationes, sen the haill nobilitie and communitie of this realme knawis nocht nor is nocht participant of this heych and tressonable interpryse laitlie cumin to there eiris to suffer the samyn tak effect, bot the samyn sall rais the hertis of the haill nobilitie commontie and trew subjectis of the realme to ganestand and resist the same at the uttermost of thair power with the blude of there bodyis and haill forces; and als nocht doubtand bot that sa many of the nobilitie as wer adjoyned and partakeris with the said erll of Murray on otheris auffairis will nocht assist nor concur with the foirsaidis conspiratouris in the tressonable and heich attentives foirsaidis to the subversioun and distructioun of the haill realme and nobilitie of the samyn as also of thame selfis be proces of tyme as uthiris, bot will oppone thame to the uttermost of thair lyves and to concur with ws in keping of oure said prince and preservatioun of the strenthis foirsaidis and defending of the libertie of oure realme frome thraldome and servitude nochtwithstanding of ony particular cummeris that hes happynnit amangis our selfis bigane. And sen the odious interprise is of veritie and we surelie advertist therof be our soverane ladyis writting we can nocht of our dewitie concele the same bot thocht it gude and expedient to caus it be maid notour to all oure soverane ladyis faithfull subjectis baith to burgh and land alsweill regalite as ryaltie and specialie to the keparis of oure said prince capitanes and keparis of oure foirsaidis castellis and fortalices as uthiris tobe in reddynes to resist and aganestand the samyn quhen tyme servis that they may nocht pretend ony ignorance in tyme cuming. Oure will is heirfore and we charge yow straitlie and commandis that incontinent thir oure letters sene ye pas in our soverane ladyis name and oures to the mercatt croces of etc. and thair mak publict intimatioun be oppin proclamatioun of thir our letters to all and sindrie our soverane ladyis liegis and subjectis that they and everie ane of thame alsweill regalitie as ryaltie baith

to burgh as to land betuix sextie and sextene yeiris and all utheris fensible persones tobe in reddynes and cum forthwart bodin in feir of weir with ¹ dayis furnissing eftir there cuming and to sik places as they salbe inquirit [*sic*] and appointid upoun xxiiij houris warning for the resisting of the awaytaking of our said prince to be deliverid in England, and als to resist the deliverance of the castellis and fortalices foirsaidis and preservatioun of this realme of Scotland frome thraldome bondage and subjection under the pane of tinsale of lyffe landis and guidis as ye will answer to ws heirupoun. The quhilk to do, etc.

Gevin under our signet and subscrivit with our hand at ¹ the ¹ day of Januarye 1568.

Copy, 1½ p. Vol. B, 283v.

XLV

22 January 1568-9.

A proclamatioun be the Queen of England afor the incoming of my lord Regentis grace to this realme fra England quhair he with the remanent lordis in his cumpany then wes, declairing the untreuth of certane malitious reportis devysed and published in the realme of Scotland.

She denies that there has been any 'secrete practise' between her and Moray whereby (1) James should be committed to her in England, (2) Edinburgh and Stirling castles should have English garrisons, (3) Dumbarton castle should be captured and held for her, (4) Moray should be declared legitimate successor to the crown if James should die without issue; and should hold the crown in fee of England. These untruths are maliciously spread to foment both domestic faction and discord between England and Scotland.

It is true that some proposals have been made by Lennox and his wife, that if James's life should hereafter be in jeopardy in Scotland 'frome the attemptatis of the murtherouris of his father and uthiris his mortall inymeis'

¹ Blank.

he might be sent to England under the custody of his present guardians. But no convention was ever made 'nethir yit wes ther hard by hir Majestie ony word of the erll of Murray or of ony in his cumpany to allow of ony removing of the samin prince out of Scotland or oute of the charge of thame that now have the charge and custodie of him.' Likewise it is a false slander that there is any understanding between Moray and Hertford.

'Gevin at Hamptoun Court the xxij day of Januare 1568 the ellevint yeir of hir Majesteis regne.'

Copy, 1½ pp. Vol. B, 283.

Printed in Calderwood, ii. 474; calendared in *C.S.P.*, ii. no. 967, which omits reference to Lennox; *T. and S.P.*, i. 68, no. 634.

XLVI

13 March 1568-9.

The heidis of the commoning betuix my lord regentis grace and the nobilitie being with him on the ane part, and the erll of Cassillis, the Lord Heres and abbot of Kilwynning in name of my lord Dukis grace of Chastellarault and other noble men his adherentis on the other part. At Glasgow the xiiij ¹ day of March 1568.

It is desired

1. That the Duke and his party acknowledge the King and his sovereign authority.

2. That noblemen of the Duke's party be reinstated 'as the borne counsalours of this realme': that the Regent would solemnly swear to forget the past and treat them impartially.

3. That the forfeitures of the Queen's supporters be revoked, excepting those who were art and part of the King's murder.

4. That the Regent and his adherents agree to such conditions as may be to the Queen's good and serve her turn, without prejudice to the King and his authority.

5. That on 10th April following there should convene peaceably in Edinburgh, under safe-conduct, the Regent,

¹ The dates xvi and xv have been written and cancelled.

the Duke, Huntly, Argyle, Atholl, Morton, Mar, Glencairn, and Lord Herries, or their proxy in case of absence through 'lauchfull impediment,' to discuss the question of their attitude to the Queen. And to abide by the decision of the majority.¹

6. That in the meantime the Duke and his party execute no authority in virtue of commissions from the Queen; the Regent promising that no proceedings will be taken to the prejudice of their persons or estates.

7. That one of the Duke's sons, Cassillis or his brother, Herries or his eldest son, are to be pledges for performance of the articles.

Copy, 1 $\frac{2}{3}$ pp. Vol. B, 309v.

Calendared in *C.S.P.*, ii. no. 1019, where there is a footnote which is not found in the Warrender copy.

Terms are given in *H.J.S.*, 36-38.

XLVII

James VI. to the Town of Veere

6 August 1569.

During the vicissitudes of the preceding years, treaties with foreign nations have been neglected, and in part violated. Not a few Scots, taking advantage of the troubles to transgress with impunity, have committed many insolencies in your provinces whereby the immunities granted to our nation are endangered. It has been often doubted who has the oversight of these matters. This, however, has happened not so much through your fault, as through the carelessness of those to whom Mr. George Halkett, the Conservator, entrusted the duties of his office.² He has been absent from Veere for some time, detained by

¹ The Duke, Cassillis and Herries were the only members of their party present at the conference. 'Argile and Huntlie were offended with the duke.' (Calderwood, ii. 486.)

² On 27 April, 1559, 'he appointed George Gordon his substitute, allowing him half of his salary.' (Rooseboom, *Scottish Staple in Netherlands*, 75; Appendix, no. 63). Halket was apparently Conservator in 1565. (Davidson and Gray, *Scottish Staple at Veere*, 173.)

domestic troubles in Scotland, but now with our leave he seeks to resume his administration. We therefore send letters of commendation requesting you to support him in every way. We are sure that you remember how sundry of our ancestors favoured Veere above the other cities of those parts. We, on our side, will nourish this good feeling as a heritage from our ancestors, holding it assured that you, in your turn, will answer us in friendship and benevolence. This you can do by supporting and favouring the said Mr. George, on whose behalf we ask that all the accustomed rights and privileges of previous Conservators may be freely granted to him.

From Perth, by the hand of James Earl of Moray, Lord Abernethy, Regent; 6 August, *anno 3*, 1569.

Latin: copy, 1 p. Vol. B, 271.

XLVIII

Lethington to Norfolk

16 September 1569.

Lidington's Letter concerning his being accused of the Kings murder.

I dout not bot long er now your grace hes onderstand how ongently I have bene used at Striviling and chiefly by hym quhome I cold never suspek wold have bene induced to serve as instrument to betray one that off so long continewance had bene his deare frend. Now when by Godis providence and meanes off my frendis I am delivered from the extreme danger wherin my lyf wes for the space off seven dayes I have thocht necessary to mak your grace the whole discours. I being with my lord off Athoill in his cuntry passing our tyme,¹ my lord Regent wrote two severall lettres on after other to every off ws requiring ws most earnestly to come to Striviling that he mycht have our

¹ According to Calderwood (ii. 504) and Spottiswoode (ii. 118), they were in Perth. Hunsdon believed that the principal cause of Maitland's detention 'is a convention lately at Atholl, practising some matters for the Scottish Queen.' (*C.S.P.*, ii. no. 1134.) Cf. account in *H.J.S.*, 42-43.

advise how to answer¹ the Queen of England lettres brocht hym by his man Hwme and Mr. Thomas Flemyng. His lettres were accompanied with frendly messages by towng and many good wordis spoken to some our frendis which chanced tobe with hym for the tyme. Although at the first we excused our selffes, yet being preassed by the nixt lettres we resolved to go, the rather for that we knew off Mr. Thomas Flemyngis message as also we had conceived opinion that it mycht be we sould fynd my lord regent more *conformable*² then he was at St. Jhoneston,³ and if so wer our presens wold serve to good propos to further a good resolution. I wes persuaded the rather so to think by a lettre from my brother off Coldinghame⁴ who having upon x dayes before as he past by the way where my lord regent wes purposely entred in communicatioun with hym upon these heades, in conference fand hym yealde to some poyntes which before he had mislyked, in esperance to qualify him more and more by our persuasion. My lord off Athoill and I came to Striviling on Thursday⁵ the day off September. On the morne we past to my lord regent to the castell who made me as good a visage as ever he did at any tyme in his lyfe before. Efter dennar he held propos with my lord off Athoill and me alone at leist thre or four howres so familiarly and frendly as could be and seemed to be veary well satisfyed with our frank dealing with hym in the greate mater, yet alwayes without

¹ Moray's answer was dated 5 September. (*C.S.P.*, ii. no. 1132.) Elizabeth's letter, sent by Alexander Hume of North Berwick, was dated 12 August. On 20 August she sent Thomas Fleming, Mary's 'own servant,' with letters 'in favor of the sayd Queene' (*ibid.*, 1118, 1125). Hunsdon stigmatised Fleming as 'so lewd a messenger'; and Moray complained of his 'behaviour' (*Hatfield Papers*, i. 420; *C.S.P.*, ii. no. 1132).

² This word is underlined in the original.

³ In the convention at Perth, about 28 July, 'the Scottish Queen's equality of government with the king was simply denied.' Elizabeth had sent letters, by Lord Boyd, with proposals anent the restoration of Mary, and Mary wrote requesting steps to be taken for her divorce from Bothwell as a preliminary step towards marriage with Norfolk (*C.S.P.*, ii. nos. 1110, 1112, 1115; Calderwood, ii. 489-490; *P.C.*, ii. 4-6).

⁴ John Maitland, Commendator of Coldingham.

⁵ Thursday, 1 September.

any resolution, reserving that to the counsall which shold be the nixt day. I told hym at that same tyme that I wes sore threatened by that faction which wes there present and advised by my frendis nocht to come where thay wer but I did not feare thame so long as he wer equall for both partis, for I wold provide wel ynough every way for ther private malice and I wold never suspock any change off mynd in hymselff towardis me. He answered me I had reason to be off that jugement for I shold never be in danger whear he wer. Nochtwithstanding all this behaviour the next day efter, which wes the Saterdag, at after none the gates off the castell were straytely kept and none off my lord off Athoilles servands nor myne suffred to enter, although the day before no impediment wes made at all to any man, bot at our first cuming the gates casten up and I am sure ther entred with us above a hundreth persones, and that same Saterdag in the morning as many. About vi off the clock at nycht one Crawford¹ wes brocht in to the counsell chalmer who said he had commandement off therl off Lenox and his lady to declare that I wes gylty off the murther off the kyng ther sone and to require my lord regent and the counsall to reteane my person in sure firmance till I mycht be accusit judicially off the cryme. I being present and not loking for any soche mater nor suspecting the fraude, upon the sudeyne inquired if he wald say that I wes gilty off that murther. I do not, said he, my lord, affirme that ye ar gilty off it, for I have sene yow do honestly sen the begynning for the punishment off it and hopis that when the tryall shall be taken your part shall yet be found honest, and for my part wishis it may so fall out. Ye ought not to be offendit with me that am a servand and dois bot cary my maisteris message and execute his commandement. Then said I, I will tak me to your maister and not to your self. If yow haiff commission off hym I desire it to be producit. He answerit, If I had not his commandement I wold not haiff presentit my selff heyr. Thairefter I answerit the mater and offerit

¹ Thomas Crawford of Jordanhill. He captured the castle of Dumbarton for the King's party on 2 April 1571.

to underly the lawes off the realme with all extremity and craved neyther favour off my lord regent therl off Lenox nor na other person in that mater; bot as to be enterit in captivity it wes altogeather onreasonable and against the lawes. I wes a barron off the realme and had the honour to be off the counsall. My behaviour in the common wealth had bene soche as na man had occasion to suspek me off ony onhonest cryme. I wald put in bandes off the best off the realme under the pane off an hundreth thowsand pound to present my person before the justice at any day therl off Lenox or any other wold accuse me *but to be*¹ committed to any warde I ought not for plesour off my ennemyes. My lord regent desyred me to remove a little that the counsall mycht consult upon the mater. Being in the nixt chalmer hard by quhayr I mycht heare the most part wes spoiken, and perceaving with what vehemency those that were conjured against me did enter in argument, I send one to my lord regent desyryng that I mycht be hard to speake somewhat in my awne caws. It wes reffused onto me to heare me speake, and with greate hast and no deliberation concluded that I sould remane a prisoner. Therl off Athoill the nixt day insisted in the counsall upon many heads be my information but no resonable petition wold be hard or accorded. I am assured a christen man amongst the Turkes wald not have bene so crewally used; nor I think thayr is no nation so barbare wheare it shall be reffused any man to be hard to defend hymself, as alsua that a nomber off conjured ennemyes, against the most part off the which ther wer lawfull exceptions, shold sit as judges off a manis honour lyfe and land. I wes not ignorant off theyr conspiracy aganis me in generall althogh I knew not in partecular after what sort theyr malice wold burst out. For above five monethis ago and at Mr. Wodis returning from England² I wes surely advertist that therles

¹ These words are underlined in the original.

² John Wood, Moray's secretary, despatched, with Instructions, to Elizabeth on 23 March, sent back on 16 May, with 'matters of weight' concerning the position of the Queen of Scots. (*C.S.P.*, ii. *ad indices*.) It was these communications that led to the summoning of the convention at Perth on 25 July,

off Morton, Mar, Glencarne and lord Sempill had made a ligue amongst them selffes against me as one whome thay onderstode to be off mynd to owerthrow the present estate forasmoche as thay did perceave my advises tend to an universall accord, and that thay wold procure my lord regentis owne consent to my ondoing eyther by one meane or other. Many consultations thay haifi taken to this end which did nothing effray me, for at home in my countrey I thocht my selff able ynough with the assistance off my frendis to resist all the forces thay wer able to mak, and at publik assemblayes wheare the nobility wer present I doutd nocht to be as strong as thay, as by experience thay did se at St. Jhoneston wheare thay had the sam entreprise in theyr head and yit durst not put it to execution. When thay haiff found that by force they could not owermatche me thay haiff tourned thaym selffes to fraude and used hym¹ as the instrument to trap me in the snare whome before now I could never suspek in my private causes. After I wes stayed at Striviling the first nycht as therl of Athoill being present utered in plane language his discontentment so as sone as advertisement went to other places, many did grudge veary sore both with the fate and the circumstances, and amongst others most earnestly my lord Home and the lard off Grange who by divers lettres and messages so insisted in my caus that at last a promis wes made to my selff and my frendis that the place off my warding shold be the castell of Edinburgh. Yet wes it not so meant in dede for in the meane season messengers wer direct to the lard off Grange to persuade hym to be content that I mycht go to Lochleven or Sanctandrois, and meanes used to my selff to yealde to the same, whearby my frendis mycht quiet themselfes. When neyther my consent nor the lard off Grangis cold be obteyned, then wes it resolved that I shold be caryed to Edinburgh. Upon a manifest fraude my lord regent brocht me in his own company upon Fryday the day off this instant and cum-

when Lord Boyd officially delivered Elizabeth's proposals. Wood's was a private negotiation.

¹ Regent Moray, formerly the friend and confederate of Lethington.

*mandit me that*¹ nycht to keape my logging in the town² till the lard off Grange shold come and speak with hym for ressavng off his direction, which was a stratagem thinking to lay hands on hym and consequently to put hym from the keaping off the castell. Theyr deceayte wes foresene and provided for, for about x off the clock at nycht the lard off Grange came to my logging whear I wes awayting on hym accompanied with a sufficient force off my frendis with whome I past to the castell. The nixt morning my lord regent being advertissed came to the castell hym selff to speake with the capitane and me, and as at all tymes sence the begynning off this mater he had dissembled with me in wordis and used persuasions to me that he wes compelled against his owne will to beare with my ennemyes and use me extremely for theyr plesour desyrng me still to assure me off his frendship, so then he prayed ws both to geave it out to the world that I wes entred in the castell be his commandement and off his owne accord. Well as I think myselff tobe in the surest place off Scotland for myselff knowing his affection towardes me that hes it in keaping so doth the regent appeare to every man in his wordis to fynd no falt thairwith, yet hes he used indirectly all meanes to persuade the lard off Grange for satisfyeing off the people, and that it may appeare ther is no mistrust betuix them, to come to his logging to the toun, to what end your grace may juge. But I trust he shall not soddynly credit his person in his hands, nocht, as he sayth, that he doth mistrust hym selff but seing my ennemyes have once made hym against his owne honour to betray me one of his dearest frends he can not assure hym selff so long as thay same persons have credit about hym but thay may induce hym to do the lyk to hym or any other. In these tearmes doth he still stand with my lord regent and I trust shall for a long tyme. My lord off Athoill, my lord Hwme and many others I think be off the same mynd, for I have had messages from many noblemen and gentlemen sence I wes first restrayned off my liberty. Now I am as able every

¹ These words are underlined in the original.

² With Alexander Hume of North Berwick. (Calderwood, ii. 505.)

way to serve your grace turn and to do the Queen service as ever I wes and rather be this strang dealing ar my meanes increased then diminished or taken away. I haiff desyred all my frendis to quiet themselffes and stand upon theyr garde till I may heare from your grace. Therefore I pray your grace advertis me with spede what resolution yow there do take for the Queen that I may use soch meanes as I have here to serve the propos, wherin no thing shallbe neglected. The capitane off this house is and wilbe good in all her causses so far as with honour he may. He mislykis altogeather my lord regentis proceadingis in asmoche as he doth se hym rinne a direct course to his owne owerthrowe. For that he did receave the keaping off the hous off hym, for his own reputation he must do somewhat for hym in the end least the world mycht misconstrue his doings.¹ But this will suffice if by his meanes at last the regent shall obtene at her majesties hands and your grace a more favourable dres then otherwayes his misbehaviour doth deserve. I required Mr. Thomas Flemyng² to desir your grace to change no propos yow had in heade for my captivity for I doutd not it shold rather prepare the way for the Queenis restitution then hinder it. Yet the treuth is, never manis lyfe I think wes in greatar hasard then myne hes bene, which is miraculously preserved. At the begynning when my ennemyes did se what uprore wes lyk to follow for my detention thay wer once off mynd to kyll me in the castle off Striviling which assuredly had ben executed if they had nocht thocht that my caryng to Edinburgh shold haiff served to get the castle furth off his hands that is capitane, whom they take tobe ennemy to thayre proceedingis. Now when thay se themselffes frustrat off all thayr disseingnes thay ar desperat and do sore repent themselff that I do lyve. Sure I am they slepe

¹ Calderwood's commentary is interesting. 'When he was admonished to be thankfull to the former regent, who had placed him in that office; "I must," said he, "be a freind to my freinds; and yitt sall I be true to him als long as he liveth." Shortlie after followed the murther of the good regent. It was conjectured he understood more in that mater than commoun men.' (Calderwood, ii. 558.)

² See above, Note 1 of Letter XLVIII, p. 64.

onsoundly and some off them shall have caus so to do. I am, praysed be God, delivered from all danger and do remayne at your grace commandement in all it shall please your grace to employ me.

This once agane I pray write to me directly what yow will have done, for on my part your grace shall se frank dealing.

¹ I mon requeist your grace off a poynt, and that as moche preassed theronto by other men as off my selff. I know therl off Mortonis feble hart, that when he seis hymself compassed with so many ennemyes as by Goddis grace he sall se, and on the other part perceavis that he and his faction ar not able to impede the Queenis restitution, he will mak sute to herselff. He hes extremely hunted her lyfe and hir honour. I pray your grace suffer hym not to be receaved in favour, for his allowance now off hir restitution can litle serve her turne and she shall never have the mo frendis for him. Remember how ongently he used yourself quhen we wer in England.¹

So I commit your grace to Goddis protection.

From the castell off Edinburgh the off September.

I haif at your grace commandement used your grace credit to many which, on my word, will trust theyr lyves and landes upon your promise, which I haiff assured them thay will fynd performed more honorably then some made by theyr own countreyemen have bene.

Lethington to Mary ²

I trust by Mr. Thomas Flemyng your majesty hes hard how I wes used at Striviling. My ennemyes who for haterad off your majesty put hands on me have not pre-
vayled, prayse be to God, who hes miraculously delivered me from theyr hands and so blinded them that they were not able to execute against me theyr crewalty intended.

¹ Written longwise in the margin in a cramped hand. Morton and Lethington were fellow-commissioners with Moray at the conference at York, Westminster and Hampton Court anent the 'trial' of the Queen of Scots.

² Written on the last page of Norfolk's letter. The page has been misplaced as f. 74 in the 'Warrender Papers.'

Although I be in the castell off Edinburgh yet I think my selff not onely at liberty but more able to serve your majesteis turne then I wes off before. Write frankly to me what your majesty will have done and yow shall not onely perceave a good will to obey your commandements, bot also I trust the concurrence off mo then peraventure your majesty did loke for. Alwayes your majesty shall be assured off direct dealing and that your majesty shall not be put in hope off any thing which shall not fall out accordingly by Godis grace. My lord off Athoill with mony otheris ly in suspens awayting upon word from me, which I shall send sa sone as I may knaw your majesties plesour. Sa I maist humbly kyss your majesteis hand. From the castell off Edinburgh the xvj day off September.

Unsigned: copy or draft, 6 $\frac{2}{3}$ pp. Vol. A, 69.

Enclosure to Mary, fol. 74.

XLIX

Commission by James VI. to George Halket, Conservator in Flanders, to prosecute false coiners

3 October 1569.

The Scots have suffered grave damage in the previous years on account of counterfeit and base money, which, it is understood, is being made in Flanders in imitation of the Scottish currency. Wherefore the King, with the advice and consent of James, Earl of Moray, Regent, empowers Mr. George Halket, Conservator of the Scots' privileges in Flanders, to proceed against the false coiners and their abettors, especially Scottish subjects, wherever they are to be apprehended; and either to have them punished according to the exigencies of the law, or transported to Scotland, as may seem the more expedient. He is given all necessary powers, including those pertinent to a Justice or his deputes, while he himself is to be answerable to the King and Treasurer. Under the signet. Kelso, 3 October 1569.

Latin: copy, $\frac{3}{4}$ p. Vol. B, 271v.

Not in the *Register of Privy Council*.

L

28 November 1569.

'A proclamacioun sett furth by the erll of Sussex the Queenis majesteis Lieutenent generall in the North, declairing treulie the falshodes and vane delusiones wherby the erllis of Northumberland and Westmoreland and thair confederatis do abuse the Queenis Majesteis subjectis to maintene ther rebellious interpryses, the xxvijth of November 1569.'

That the Earls of Northumberland and Westmorland have entered into open rebellion,¹ deceiving Her Majesty's subjects, sometimes convoking them ostensibly for defence of her person, sometimes asserting that they were acting with advice of the nobility, 'sumtymes pretending for conscience saik to seik to reforme relligioun,' this being 'a popishe holynes to putt sum fals cullour upoun there manifest tressones,' sometimes declaring that they were driven to undertake the matter in hand lest foreign princes should intervene, to the peril of the realm. That they have practised with foreign princes against the safety of the Queen and 'to bring the whole realme to perpetuall thraldome,' sometimes covering their purposes 'with a show of desire to preserve the state of the auncient nobilitie from destructioun,' although from the beginning of the Queen's reign not one of 'that flock' has perished, and Her Majesty has always 'lovinglie used them.' That, therefore, we, Thomas Earl of Sussex, Lieutenant-General in the north, command all who have been 'by these dilusiones abused utterlie to foirsaik and detest thame and there wicked doingis; and all suche as have nocht hitherto bene abused, to forbear to repair to thame or onywise to ayd or succour thame. . . .' God save the Queen. T. SUSSEX.

Copy, 2 pp. Vol. B, 305^v.

Inventoried in *T. and S.P.*, i. no. 646, p. 69.

¹ These two earls, confederates of Norfolk, 'brake furth in open rebelloun, before anie helpe, which they looked from forane parts, could come to them. . . .' They were put to flight, and were conducted to Liddisdaill. Northumberland was delivered up to the Regent. Westmorland lurked in hiding until he made his escape to the Low Countries. (Calderwood, ii. 508-509.)

LI

November 1569.

The forme of the secretaris letter eftir committing him to warde within Edinburgh Castell.

Forsamekle as it is humelie menit and schawne to ws be our weilbelovit familiar clerk and traist counsalour William Maitland of Lethingtoun younger our secretar principall That quhair in the latterend of the moneth of August lastbipast he at the desire and command of umquhile¹ our dearest Uncle James erle of Murray Lord Abernethy regent to ws our realme and liegeis come to our burgh of Striviling to gif his opinioun and counsale in certane auffearis concerning the commoun weill of our realme, and the ———² day of the said moneth being sitting in counsale, trusting na thing les then ony retentioun of his persone molestatioun or trouble to haif bene usit towardis him in ony sorte being in conscience sa perswadit, speciallie for the respect of the continuall travell and diligence takin be him with afald and trew parte to his pure power in the advancement and furthsetting of our service and effearis concerning the commoun welth of our realme, as also in prosequitioun of the murthour of umquhile our dearest father Henry King of Scottis, quhome God assoilzie, nevirtheles the day foirsaid Captain Thomas Craufurde of Jordanhill come in presence of our said umquhile dearest Uncle and Regent and remanent lordis convenit in counsall for the tyme, and ther publictly in his [*sic*] maner accused the said Williame our secretaire foirsaid as allegeit criminall and gilthy of the odious and abhominable murthour perpetrated in the persone of our said umquhile dearest father, and be the convoy persuasioun and instigatioun of sum our said secretaris unfreindis the said Thomas allegeing him to haif mandat or commissioun of our dearest guidshire the erll of Lennox to persew all persones criminall of the said murthure and therfoir desirit that the said Williame suld be detenit

¹ 'Umquhile,' probably inserted by transcriber after Moray's death.

² Blank in the MS. Calderwood gives the date as 3 September (ii. 505; cf. *C.S.P.*, ii. nos. 1133, 1134).

and kept in warde, quhill the samin mycht be tryit and he putt to the knaulege of ane assyis therfor. At occasioun quhair of he wes committit to warde first within our castell of Striviling and thaireftir transportit to our castell of Edinburgh quhair he hes lang remanit, and sua be that wey tending to putt him to grite ignomine and defamatioun, and to mak him odious to all men, albeit as he is innocent of the said odious and abhominable murthure, sa for tryall of his part and innocencie theranent he hes evir bene, like as he is zit, reddy and willing to offer him selff to the lawis and abyde all lauchfull tryall therfor: And seing the said William hes lang bene retened in warde at occasioun foirsaid remaning under suspitioun of the cryme foirsaid to his grite defamatioun, is maist willing to haif his part tryit without forther dilay conforme to the lawis of our realme, Oure will is heirfor and we charge you that ye lauchfulie summond warne and charge our advocatis for ther interes, our said darrest guidesire, Lady Margaret his spous, and utheris the kin and freindis of our said umquhile darrest father quhais names ar unknowne to the said complenare, and the said Thomas Cranstoun [*sic*] for his interes, gif he ony hes, be oppin proclamatioun at the mercatt croceis of our burrowis of etc. and uthiris placeis neidfull to compeir befor our justice or his deputis in the tolbuith of Edinburgh the day of November¹ nixttocum in the houre of caus to follow and persew the said Williame Maitland for the cryme abonementionat as they wilbe servit according to the lawis, with certificatioun to thame, and they failzie, that our said justice or his deputis will proceid and do justice therintill conforme to the lawis and consuetude of our realme and that ye summond ane assyis heirto, ilk persone under the pane of 1^e fi as ye will answer, etc. The quhilk to do etc.

Copy, 1½ p. Vol. B, 293. Printed in *P.C.*, xiv. 318.

¹ Calderwood gives 21 November as 'the day appointed for Lethington to underly triell and the verdict of an assise.' A letter from Regent Moray to Cecil was written on 22 November 'at this day on quhilk the Laird of Lethingtoun suld have tholitin law.' (*C.S.P.*, iii. no. 13.) The trial was prologued; and eventually Lethington was acquitted by the Privy Council

LII

Mary to Lethington

27 March 1570.

I haif ressavit your lettres be the berare heirop the xxiiij of this instant daitit the xix of Februlare, bot ressavit na uthir lettir ye mak mentioun of nor had na meanis to writt to yow this langtyme past throw the passage stopping indeid bot [*i.e.* except] be the bischope of Rossis convoy, quha I dowt nocht at all tymes he culd find commoditie hes advertesit yow at lenth of all our proceedingis heir, quhilk he can weill do and approvis the samyn als guid as gif I writt my self; and laillie with the Laird of Garthlie¹ with quhome I writt bot breiffie becaus of his sufficiency in knowing my mynd weill aneuch, albeit he could nocht obtene licence to cum towart me him self.

I know weill the gritt trawell and pains ye haif for the avancement and weillfair of my effaris quhilkis, Godwilling, sall nocht be put in oblivion quhen tyme sall serve. I am sory your conventioun hes nocht haldin² quhair ye mycht haif concludit conforme to your writting. I haif hard that the erle of Mortoun and ye ar aggreit,³ of the quhilk I am glaid, understanding be the bischope of Rossis frequent advertesmentis that the samyn wes purposlie intendit for my behalf on baith pairttis.

Gif sua be, ye sall baith haif me as ye will. Gif it be nocht on his pairt, pray yow warne me in tyme that I be

on 14 February 1569-70. (*Ibid.*, no. 119; cf. E. Russell, *Maitland of Lethington*, 392-393.)

¹ George Barclay of Gartly was sent from France to Scotland through England at the same time as Verac was despatched by sea. On 2 April Randolph complained that Gartly had 'bred such hindrance to what I came for that it has lost me more friends within these few days than I have gotten in many weeks before.' (*C.S.P.*, iii. no. 160.)

² A convention was summoned to deal with the situation arising out of the death of Regent Moray. In February a new convention was appointed for 4 March. A convention of the Marian lords was eventually held at Linlithgow at the beginning of April, and afterwards transferred to Edinburgh. (*C.S.P.*, iii. *ad indices*; *H.J.S.*, 53-55.)

³ The reconciliation was reported in England on 26 January. (*C.S.P.*, iii. no. 94.)

nocht dissavid. I haif the dowbill langsyne of your lettres writtin to Leycester¹ and Penbroch, quhilk I trust hes done mekle guid. I haif writtin to the erle of Murrayis wyff² for my jewellis scho hes, and to Huntlie to stope hir of hir conjunctie in the north quhill scho randir the samyn. I neid nocht to refeit to yow the estait of my effaris heir, being alsweill advertesit be the bischope of Ross of the samyn. He hes send me wourd that Leycestir sayis the quene of Ingland is to send ane honorabill message to France to treat the pease,³ quhilk being maid scho will promeis to do all scho may for me, quhometo he hes offirit himself to mak the voyage. He meanis for my saik. Sum supponis he is bot ane slak freind for Northfolk⁴ and me, bot I am suir aneuch gif he meanit nocht weill to the Quene his maistres I wald nevir haif ane guid opinioun of him; bot he may desyre hir to be suir and yit freind to me, as he is in deid. I know that the schaw ye maid in Scotland alreddy, and apperance thair wes, that at this your stayit conventioun ther suld haif bene sum guid concludit for me, hes movit the quene of Ingland and hir consall to haif me at the mair respect, and now wald interteny me with fair wourdis gif scho se ony apperence that I haif freindis in Scotland, how few that evir thai be. Being sum of the greatest, scho will nocht byde extremetie bot will appoint with me. This I know be sum of hir consall. I wald ye offirit your self to mak ane voyage in Ingland to the samyn effect to cum treat with the quene [of] Ingland gif sche will gif yow frie pasport therefore in

¹ On 29 March, the date of this letter, Randolph assured Lethington 'how friendly my Lord of Leicester thinks and speaks of you.' This was advanced as an inducement to Lethington to join the English party. (*C.S.P.*, iii. no. 153; cf. 156, 247.)

² Agnes Keith, eldest daughter of William, fourth Earl Marischal (cf. *P.C.*, ii. 435).

³ Negotiations for a religious peace in France were begun in the spring of 1570, and resulted in the Treaty of St. Germain in August. (C. Read, *Mr. Secretary Walsingham and the Policy of Queen Elizabeth*, i. 89-90. The whole chapter deals with the international situation in 1570.)

⁴ A reference to the 'practice of marriage' between Mary and Norfolk. The Duke had been committed to the Tower at the beginning of January. (*C.S.P.*, iii. nos. 79, 86[5].)

this menetyne, seing the support ye ar lyk to haif of France as Garthlie will schaw yow as also of Flandiris, ye sending for the samyn, quhilk as I am advertesit of men ar cumyn thairfra to Londoun, ther is ane gritt nwmir of soldiouris thair reddy to embark and na man knawis quheir. Bot I am assurit thai ar for my behuif.

I pray yow to trawell with the said nobillitie that thai may mak sum face to the uthir pairty for my restitutionoun and send hame Randolph¹ quha dois gritt ewill yn declaring that he can nocht be suffirit ther except he be admittit be me as soverane Queen, to do the quhilk all particularis man be layid asyde amangis my favoraris baith Hammiltouns and uthiris and seik all meanis to serve my turne with, quhilk declaring will cheiflie move the quene of Ingland soner to foirse the thing sche will be constranit to at lenth. Northfolk hes bene desyrit to quite me and thairon to tak his sacrament quhilk he is determined nevir to do. The Quene of Ingland plenttis that I mak hir na offiris and is spokin that sche wald haif me to offer my sone and in lykmanir to quite the Duik of Northfolk quherto I will nevir consent. The Bischope of Ross hes bene examinat, as ye will persave be the discourse of the conference betuix him and the consall quhilk this berare will deliver to yow, and promeises that he suld be at libertie schoirtlie,² as I mene to be or now, conforme to the tyme wes spokin of to him.³ Thus having na fardir to writt presentlie I spend

¹ Randolph's instructions, 29 January, were to work in the interests of amity between England and Scotland, the maintenance of the Protestant religion, to preserve James 'from all danger to be transported away into France or elsewhere,' and to demand the delivery of the English rebels. (*C.S.P.*, iii. no. 100.)

² Ross was deprived of his freedom in February, on suspicion of complicity with the rebels of the North. He was not released till May. (*C.S.P.*, iii. *aa indices*.) The King of Spain was informed on 20 March that 'the bishop of Ross was summoned to Court, and the burden of all the interrogations was whether his mistress had a cipher and any dealings with your Majesty or the Duke of Alba, and to impress upon him that little advantage could be gained by foreign aid, as they could act with such rapidity here. In this way, more by threats than questions, they sent him back to London, promising that they would consider shortly the question of his release.' (*Calendar of Spanish Papers*, 1568-1579, 183.)

³ *i.e.* They promised him his liberty shortly, which, according to the time that was mentioned, I take to mean, before this.

ouir lang tyme quhilk I may nocht do, the berare is sa far hastit, bot referring all that may be neidfull to the weillfair of my effaris in thir partis to your wisdome; and credit this berare gif he schawis yow ony farther be touung that I may forgett. I committ yow to God. Frome Tulberry ¹ the xxvij of Marche. I pray yow forgett nocht to commend me to your wyff.

Copy, 1½ p. Vol. A, 139.

LIII

Lethington to an English Counsellor

c. March 1570.

My veary gude Lord I haiff taken occasion presently to write to your lordship the mayr baldly in consideracioun off the good uising it pleased your lordship to schaw me and the courtesy I receaved at your hands quhen it wes my chanse to be in that court the first yeaere off the Queen Majesteis reign,² quhilk in particular hes bound me to your lordship, besides the generall obligacioun quhilk I ow onto her hyghnes and the haill realme off England for the favour and support my father, I and other our frendis receaved the tyme off our troubles aswell at the handis off the king her father as her brother King Edward, quhilk sould move me to wishe her majesteis weill and to offer ony service lying in me to that effect, principally quhen the same is joyned with the weill off my owne countrey. I haiff declarit to Mr. Randolph her majesteis servand heyr,³ and hes thocht gude to write the same to your lordship how far I mislyke the division presently standing amangis the nobility off this realme and the feare I haiff off an evill

¹ Tutbury, in Staffordshire, where Mary had been conveyed from Coventry on 2 January. (Labanoff, iii. 25.)

² In 1559, Lethington was sent to London as the bearer of the ratification of the treaty of Câteau-Cambrésis. (*Calendar of Foreign Papers, 1558-1559, ad indices.*) His friendship with Cecil dated from this time; and Leicester loved him 'as derely as ever I loved man not born in England.' (No. CXV.) This letter may therefore have been addressed to the Earl, or to Cecil.

³ Randolph retired to Berwick on 5 April. (*C.S.P.*, iii. no. 162.) This letter was therefore probably written at the end of March, about the same time as the letter to Leicester.

sequele for lack off amicable conference amangis thaymselfes; quharin I can excuse nane off the partyes, for, as apperis to me, bayth the sydes ar mayr willing to mainteyne the factions nor to unite thaymselfes to theyr owne safety. I se bayth the partyes myndit to suyte the Queen your maistres, albeit to contrary endes, and I feare in caise off refusall off her the tane sallsuyt bayth France and Flanders. For myn owne part I altogeaither mislyke strangeares and therfor wishe the mayr earnestly that her majesty will tak paines upon herselff to aggre the tua partyes quharby nane off thaym be dryven to haiff recours to strangeares. For otherways I se her majesty salbe dryven to greate charges and it is hard to wit quhat the end salbe. Hir credit is good yit with bayth the partyes, and latting thaym se a sure outgait I think bayth will yealde to her advis. The greatest poynt will stand in taking ordour with the Queene of Scotland quhilk being weill handellit may content the tane and put the tother out off feare. I can not think it assurit for her majesty to enter in hostility with a part off the nobility and for pleasour off the tane to ourthraw the tother seing the factions ar greate on bayth sides, for the consequences off that may be dangerous. I beleave the way off a treaty salbe mayr plausible and prove better in the end. For me I am determinit with my poore power not to shrink bak from the maneteynance off the religion and the querell we haiff taken in hand, and to concur for punishment off my lord regentis murther, but otherwayes I am not myndit to enter in blood with the nobility off the realme or ony part theroff bot sa to kepe this hous ¹ and tak attendance upon my charge that I salbe answerable thairfor to the haill estates by Godis grace in all eventis.

[*Endorsed*] From the secretary to sum of credit in the consal of England.²

Unsigned and undated: copy or draft, 1 p. Vol. A, 140.

¹ Probably Lethington, whence he wrote to Leicester on 29 March. (*Ibid.*, 156.)

² Lethington would 'not presume to write directly to her majesty, but has dealt liberally with some of her Council, and has always offered himself at her commandment.' (*C.S.P.*, iii. no. 212, p. 153.)

LIV

Lethington to Leicester

[29] March 1570.

Moved by 'the greate desolation threatened to this whole realme by the division thairoff in dangerous factions,' he sends a true account of the estate of Scotland. Elizabeth can best retain the affection of the realm, not by stirring up a faction, but by working 'to pacify the whole state.' Writes plainly, in the wish to secure 'the continuance off thamity betuix the two countreyes.' Lethington, [29] March 1570.

Draft or copy, 2½ pp. Vol. A, 72.

Calendared, *C.S.P.*, iii. no. 156, where date is endorsed.

LV

The Marian Lords to Elizabeth

End of March 1570.

The dangerous state of Scotland and fears for the future cause them to beg support from Elizabeth to put an end to faction. They point out that divisions in Scotland will react to the prejudice of England. She could compose their differences 'by entring in conditions with the Queen of Scotland quhairby the different claymes betuix her highness and her sone may cease from henceforth, in doing quhairoff your majesty sall oblisse us.'

Unsigned. Dated 'towardses the end of Marche, 1570.'

Draft or copy, 2½ pp. Vol. A, 135.

Printed by Calderwood, ii. 547-550; calendared *C.S.P.*, iii. no. 178; both with signatures, some of which Calderwood considered to be forged. The letter was despatched from Edinburgh on 16 April.

LVI

[April 1570.]

Instructionis for my lord Archebischope off Glasgo
Embassadour for the Quene Majesty off Scotland
resident in France.

First to the effect your lordship may give the king and

thame quhomewith ye may travell mair plane informatioun
of the stait of this cuntrey it is convenient to understand
quha amang the nobilitie and indwellers of all the schyres
of this realme wilbe ennemyes to the Quene and quhay
hir freindis.

Thair wilbe

for the Quene, off Erles

James duik off Chastellerault

Huntlye

Ardgyl

Atholl

Cravvfurd

Arrelle

Cassillis

Eglintoun

Roths

Caitnes

Sutherland

Against hir

Angus

Mortoune

Glencairn

Mar

Neutrallis and indifferentis

Marschale

Montrois

Monteith

Lordis

for the Quene

Home

Zester

Setone

Borthuik

Sommervail

Carlyle

Herys

Boyde

Levvingstoun

Oliphant

Flemyng

Maxwell

Ross

Elphinstoun

Sinclair

Drummond

Gray

Against hir

Carkart

Wchiltre

Sempill

Methvven

Ruthvven

Lyndsay

Glammiss

Indifferentis

Creichtoun quha is an bairne

Saltoune

Thair is hope to win sum of thir that ar as yit contrar
the Queen and the indifferentis will yeld to the maist
maisters.

Besyde the lordis of the parliament thair is in ewerilk schyre certane greit barounis that bearis a greit suey and ar of greit force. Of thir ar for the Quene the haill north frome Tay to Pentland Firth except Pettarro, Dun, and few mean gentlemen in Angus of na nombre.

Hail Fyf wilbe for the Quene except Lochlevvin, Bavvaird, Farny, Lundy, Largo, and a few nombre that dependis upoun the lord Lyndsay and Lochlewin quhilk is nocht the fyft pairt, the greitest baronis being for the Quene.

Albeit the erll of Mar be aganis the Quene, yit in all Striveling schyre and Clekmannan thair is nocht twa landit men will tak his pairt bot be plain for the Quene.

For Dunbartan schyre and the Lennox the maist pairt ar aganis the Quene yit sum ar for hir as Buquhannane and all that dependis on my lord Fleming, and Dunbartan being weill provided wilbe able to dant the haill.

In the shirefdome of Perth, steuartries of Strethern and Monteith thair ar nocht mony greit barounis except Tilibardin and Glenurquhard,¹ quhay ar baith for the Quene.

Cliddisdaill and the haill shirefdome of Lenrig is for the Quene except sa mony as dependis upoun the erlis of Mortoun and Angus.

The haill barrony of Rainfrow in a maner is against the Quene.

In Kyle Carik and Cunnyghame sa mony as dependis upoun the erllis of Cassillis and Eglintoun Lordis Boyd and Ross, Shiref of Air, Cargy Wallace, Kilbirny and all the Crawfordis wilbe for the Quene. The maist pairt of all the rest wilbe against hir.

Al Galloway wilbe for the Quene except sa mony as dependis upoun Garleis. All Nethesdaill and Annanderdaill wilbe for the Quene except sa mony as dependis upoun Drumlenrik. Al Tweddaill wilbe for the Quene except sa mony as dependis on the erll of Mortoun.

The haill forrest of Eitric and Tiuedaill ar haill for the

¹ Glenorchy.

Quene onless it be Cessfurd and a few that dependis upoun him quhilk we trust wil nocht be at the upwith against the Quene.

In the Mers and Lauderdaill newir man wilbe against the Quene except a few nombre that dependis on Mortoun.

In all Lothian we trust thair sall nocht be found sex landit men and that bot of the meanes sort that wil nocht plainlie declair thame selfis for the Quenes partie.

By this plat of the cuntrey, it will easely appeir, that the Quenis party is the strangest bayth amangis the nobilitie gentilmen and generallie all the land indwellars of schyres, albeit as yit the cheif baronis ar against her, but thay wilbe sone brocht to conformity, quhairby it followit that the clergy quhilk of ald hes constitute the nixt and forciest¹ estait in this cuntrey is in lyk maner, because the greitest pairt of auld possessouris ar of the ancien religioun and therfor wissit weill to hir majesty and the alliance of France. The others, as thay ar all kinsmen and for the maist part creatures of the nobilitie,² sua follow thay thair went² in thir caissis, as sall easely appeir in recapituling thair names and inquiryng of thair cursis. So that thair is na questioun bot in this realme the strenthiest arme of the cuntrey debaitis the Quene. And yit ar thay nocht able to maintene the governement at hir devotioun (during hir absence) quhilk man be by convening avaling³ and remaning togidder, in respect of the lytle moyen thay have to byde furth of thair awin houssis except thay be aydit be sum forene prence welthier then thay, seing the tuther syde hes bene sa lang in possessioun of the state and sa the reputatioun of auctoritie on that part quhill the welter come.⁴ And a good nombre hes bene wrakit and depauperat this tyme bipast be distroying of thair houssis and taking greit sommes of mony fray thame and thair freindis quharby mony ar maid mair onable nor thay wer wont to be.⁴ Bot mekle les ar thay able to withstand the Quene of Inlandis forces to be send in for fortificatioun of

¹ Of greatest force.

³ Avaling = keeping fit, being of avail.

² So they follow their lead.

⁴ Inserted in margin.

the quenes ennemys joyned with the schew of ane present auctoritie except strenge forces be reconterit with strenge forces and ayde of monye with the lyk. The Quene of Ingland prepairis nyne or ten thowsand men quharof thair is already a good nombre commit to the bordouris under the conduct of the erll of Sussix¹ and ready to entre presentlie in this realme for our wrak, quherfor it is necessar that the king send in four thowsand or at leist thre thowsand fuitmen to withstand the Inglis forces. The greitest part of thir wald be harquebusars becaus the commoun vapnis of this cuntrey ar speiris and yit it wald nocht be forzet that a greit quantitie of pitis² war send in to arme the fuitmen of this peiple. And becaus our awin horsmen ar meitest to deill bayth with Ingland and our awin cuntrey men it salbe neidfull that the king bestow sylver to list ane thowsand licht horsmen in waiges or at the fewest fywe hundreth.

It wilbe also guid to send ane hundreth or twa pistolitirs reisteris³ or Frenchemen armit on that sort.

The landing place maist suir and maist convenient wilbe Dunbartan,⁴ becaus it is maist direct frome the cost of Bretagne and Gasconze, frome quence the king hes best moyen and easiest to send his support, and thes west sees ar maist suir and leist subject to Inglis schippis, besydis that the castell prowydis thame suir landing but hazard of incursioun, and at thair setting fuit on dry land thay ar in the hert of the cuntrie upoun ane portative ryver commodious for sending bak to France or resaving help, and oportun for inbringing of victwallis bayth frome the hiland and incuntrie.

Bot cheifly thair wald be ane magazin of poudre, bulletis,

¹ Thomas Ratcliffe, Earl of Sussex, Lord Lieutenant in the North, 1570-1572. (Doyle's *Official Baronage of England*.)

² Originally written 'pickis.'

³ German horse soldiers.

⁴ Dumbarton was regarded by the French party as the door into Scotland. It was here that M. Verac landed on 21 March to work in the interests of the French party and Queen Mary. (*Diurnal of Occurrents*, 166; *C.S.P.*, iii. nos. 154, 184.)

artillery and other munitioun and vapnis asweill defensyve as offensywe placit at Dunbartane, quhilk is ane maist suir place asweill be resoun of the Capitanis¹ constance and fidelitie as the nature and assiet of the place to furnis the kingis support and arme this peple and placis of the cuntrey at all occurrantis. This wald be instantlie urgit in respect of the greit defalt is in this cuntrey of thir instrumentis, but the quhilk na thing is able to be interprysit with guid succes.

Alsua for that strengears ar myslykit and ar odious nocht only by ane natural abhorring of thame lying in the breistis universaly of all nationis principaly of this peiple leist acquent with forraine men of any other except to thair damage, bot also be ane vehement feir that is augmented by monyfald suspitionis cassin in by craftie heidis to bring the Frenche support in ane generale hatret and detestatioun of all the inhabitantis of this cuntrey, sic as diversitie of religioun, desir to conquis this realme, diminishing of liberteis, inbringing of ewill cunze, violence, injures, extorsions to be usit, with calling to remembrance diverss insolences done befoir in the eis of this peiple, and becaus my lord of Glasgo is nocht ignorant quhat hattret the mis-knowledge of men in thair awin placis hes generat in the hartis of the nobilitie against the kingis lieutenantis and sic as hes borne charge heir so that mony can with greit difficultie be drywen to ressave ony Frenchemen except under the charge of nobil men of Scotland quhilk indeid is nocht convenient for mony caussis,—heirfor the king man be awysit to chuisse syk a cheif of his army as wilbe lykit of in this cuntrey.

The featest that is possible to be send salbe for this purpose monsieur le chevalier² for it is ane populair favour in him that he wes born of a Scotis woman within the cuntre and resavit thairin nuriture a greit pairt of his aage, and becaus he speikis Scottis or at leist will easely lern. Among

¹ John, fifth Lord Fleming. (*C.S.P.*, iii. *ad indices*.)

² Apparently Henry de Valois, 'Le Bâtard d'Angoulême,' afterwards Grand Prior of France, son of Henry II. by Lady Fleming. (*C.S.P.*, i. no. 889; *Scots Peerage*, viii. 540; *Inventories of Mary Queen of Scots*, xlv, n.)

the nobilitie he wilbe best lykit in respect that the forciest in this cuntrey ar his neir kynsmen or his allyes quhilk will cause him be the bettir belovit and better follout be resoun of a naturale affectioun quherwith men will serve him.

Besyde this na man in France can be send heir that wilbe sa mekle reverensit for that proximitie of bluide quhairin he standis with the king of France, quhilk splendeur will schein cleirly and favorably in the eis asweill of the greatest sort as the multitude. And the parentage he hes with the Quene of Scotland ¹ and hir sone sall purches him favour auctoritie and estimatioun universalie throcht this haill ile asweill in Ingland as Scotland, and the quene of Ingland sall have leist cause to mislyk of him be reasoun of the premisses, gif mater chance at any tyme to pas by way of treaty.

The defaltis of his yung yeiris ² may be supplied by the habilitie and qualificatioun of thame that salbe appoynted to have him in gouvernement, and beir charge in his name.

It is necessar that he have estait of the king to bear ane honest port and to hald ane tabill for conquising the favouris of the nobilitie by conversing with thame and interteinment of his intelligence in bayth the realmes.

³ It is alsua convenient that with him be sent sax colleris off the kyngis ordour to be distributed at his discretion to sik noblemen as he sall fynd affectionat to the kyngis service.

It is alsua necessar that your lordship procure a proclamatioun to be made in the kyngis name at Diepe Bourdeaux and other principall portis off France that na Scottis schippis nor merchandis be thayr ressavit bot sik as bringis with thaym a testimoniall subscrivit with sume handis heyr sik as ye think convenient that thay ar obedient to the Quene and ar not ennemyes to her autoritie.³

¹ Janet Stewart, widow of Malcolm, third Lord Fleming and the mistress of Henry II., was a natural daughter of James IV. She went to France in 1548 as governess of Mary Queen of Scots. Her daughter was one of the Queen's Maries. (*Inventories of Mary Queen of Scots*, xliii-xliv, n.)

² He was born in 1551. (Francisque-Michel, *Les Écossais en France*, 474.)

³ Inserted in margin at foot of the page.

The Frenche support being landit wilbe aboundantlie furnesit of wictwallis for the greit plaintye that is in this cuntrey this yeir prowying thay have sylver, but [without] quhilk nocht onely will thay nocht be furnist of vivres bot will mak all the commoun sort thair ennemys.

Heirfor prowisioun wald be maid heir for thair furnesing by bankers and merchandis of Deip, Rowan, Paris, Burdeaux, Nantis, Rochell or otherwais.

The keeping of my lord Hwme at the Quenis devotioun makis the haill bordouris and the nirest pairtis of the incuntrey especialie frome Edinburgh souyth to serve hir purpos; it wilbe weill done that the king have esgard ¹ to interteny him in his opinioun with assurance of his favour and thankis.

And becaus he is now for the quenis respect and ayding and ressaving hir favourars of Ingland ² entred in disgrace of Ingland so that he wil beir thair first bir,³ and for that his uphalding servis of ane greit incouragement to the haill bordouris and fortificatioun of the incuntrey, the king wald bestow on him mony to list ane hundreth horsmen in waiges under his awin conduict, quhilk will do mair guid with him and be mair terrible to the contrair partie then thrys that nombre in any other manis hand. Syklyk the king man bestow the expenssis of sum fuitmen to the nombre of twa hundreth for the keeping of his howssis, Hwme and Fastecastell, quhilk he is nocht able to defend against ane Inglis seige of his awin charges, and the winning of thame in Inglis handis will dantoun the cuntreis about, astonish the favourars of the caus and endamage the realme and the actioun greittimly. Some small soume of mony wald be employit to the fortificatioun and reparatioun of the rampart of Hwme, quheronto 1^m crounes or therabout will serve.

Item, incais the king be sua occupyed in his wearis be resoun the peax be nocht concludit that he is nocht able

¹ French, esgard=heed (Cotgrave's Dictionary).

² He had given aid and refuge to the English fugitives after the Rebellion of the North.

³ birr=force (Jamieson's Dictionary).

presentle to send sik support in Scotland as he wald, yit is it necessar that he haif respect especialye to conserve Dunbartane at the Quenis devotioun, quheronto is necessar that he support my lord Fleming with mony to list thre hundreth fuitmen and ij^c horsmen with quhilk nombre he wilbe able to dant the haill cuntrey therabout.

Item, it wer necessar he had twa lytle galiotis or pynisches to ly in the rywer, ane to be maister of the rywer and the other to cary messages to France and fray France at all occurrentis.

We have in the mean tyme directed towardis the Quene of England Mr. Johnne Gordoun ¹ with a lettre subscrywed with all our handis quherof your lordship sall presentlie ressave the copy; and onderstanding that the erll of Sussex lieutenant for hir in the north partis is cummit already to Berwick the xij of this instant at nycht and with him ane army as we ar informit of vj^m men ready to entre in Scotland,² we have directit towardis him the laird of Trabroun ³ with instructionis quherof ye sall presentlie ressave the copy, to se gif we may drywe tyme quhill we get support. Now sen your lordship seis the necessity we may refer the haill to your solistatioun and quhat forder your lordship thinkis convenient to be done to your guid discretioun.

It is alsua necessar that the king send ane honorable embassadour, sum greit personage and man of qualitie, to the Quene of England to requyre hir to put the Quene to libertie with sic persuasionis and remonstrances as wilbe convenient for that effect and that with all possible diligence.

[Endorsed] Copy of Instructionis send frome the nobilitie

¹ His message is printed in *C.S.P.*, iii. no. 184.

² He had a force of 1000 horsemen and 4000 footmen. He planned a triple invasion of Scotland for Tuesday, 18 April (*C.S.P.*, iii. no. 177). The ostensible object was pursuit of the English rebels (Calderwood, ii. 555; cf. *H.J.S.*, 54).

³ James Heriot of Trabroun (see *R.M.S.*, *ad indices*). His instructions are printed (*C.S.P.*, iii. no. 182, p. 122). He delivered his letters to Sussex at Berwick on 16 April.

of Scotland to the archebischope of Glasco embassadour for the Quenis majeste of Scotland in France.

Copy, undated, 6 pp. Vol. A, 130. A second, partial copy of this document follows on f. 134.

LVII

[April] 1570.

A proclamatioun declaring the caussis of the present conventioun of the nobilite,¹ first at Linlithgow and thereftir in Edinburgh.

The assembled noblemen justify their previous actions and make a statement of their future policy. They defend themselves against the calumnies of their enemies. They do not mean to alter the established religion, and they have offered to treat with the lords of the opposing party upon questions at issue. They have ordered proclamation to be made, requiring the lieges to support their godly intentions, and forbidding them under pain of the law to make any change in the existing form of religion.

Copy, undated, 3 pp. Vol. B, 284.

Calendared, *C.S.P.*, iii. no. 181.

LVIII

Sussex to Lethington

1 May 1570.

Acknowledges his letters of 28 April. He repeats in writing the message which he formerly gave in credence to Mr. Gordon. He had 'rather loked for better consideration in the former matters then sought writingis for the future,' but since Lethington has taken occasion of writing, he will do so again now, will answer his letters at any other time, and will hear any credit which he may deliver by any person.

Berwick, 1 May 1570.

Original, autograph signature, trace of seal, 1½ pp. Vol. A, 138.

Calendared, *C.S.P.*, iii. no. 213, p. 154.

¹ It was a convention of the Marian party or 'rebellious lords,' (Calderwood, ii. 553.)

LIX

Sussex to Morton, Mar, Glencairn, and their party

4 May 1570.

He fears that they will be forced to put themselves in arms against the English rebels and their 'partakers' in Scotland, if some good means be not speedily provided. He has therefore sent a 'plaine letter' to Grange and Lethington (of which the present bearer will show them the copy) with the end of avoiding bloodshed until Queen Elizabeth 'may have tyme to resolve in all cawses.' This she will the sooner do, when fully informed of their intentions by some messenger of trust. In the meantime he hopes that both sides will agree to an abstinence from hostilities.

Berwick, 4 May 1570.

Apparently a copy, with imitated autograph signature, $\frac{3}{4}$ p. Vol. A, 137.

Calendared, *C.S.P.*, iii. no. 213, p. 156.

LX

Sussex to Grange and Lethington

4 May 1570.

Is sorry that they and their party, in spite of their fair words of friendship to Elizabeth, have taken up arms in the cause of her rebels. If they continue in this attitude he will be forced to invade Scotland to protect the nobles of the English faction from the oppression of the fugitive English rebels and their Scottish confederates. If, however, they will urge their party to disarm, he will appeal to the rival party to do likewise, so that civil war may be avoided and Elizabeth have time for friendly negotiations.

Berwick, 4 May 1570.

Original, autograph signature, traces of seal, 3 pp. Vol. A, 146.

Calendared, *C.S.P.*, iii. no. 213, pp. 155-163.

LXI

Sussex to Grange and Lethington

8 May 1570.

TO MY VERY GOOD LORDS THE [LAIRD OF G]RAUNGE AND
THE [LAIRD OF LIDDING]TON.

After my hertie commendacons to your lordships, understandinge that the lords at Lithquo have, even in there firste action after there receipte of my lettres, broken that good faithe which I required might have bynne kepte in the execution of the hoole, for that by proclamyng of the Quene there mistress auctoritie,¹ ymediatlie upon your sendinge of my lettres to them, they have sought to mende the state of their owne cawse and to impaire there adverse parte, which good faithe dothe not permytte while matters depende in treatie: I have thought good to let your lordships plainelie understande that findinge suche dealingis in the begynninge (when no cawse was ministred) I sholde find worse hereafter, if oportunitie mighte serve; and therefore I canne be contented to leave to God the good acceptacone of my good meaning to peace and quiette in this matter, and to forbear further dealinge therin with suche who I finde trobled with other humors and therefore findinge them open ayders and maynteners of the Queen my soveraignes rebellis, I will presentlie sende a sufficient force to joyne with therles of Morton, Marre and other noble men of that realme to suppress the violence offered unto them for the Quene my mistress cawse by hir highnes rebellis and others of that realme that joine in armes with them, wherof I thought to geve your lordships knoweledge to thende that, as you mighte see the evell dealingis towardes me, so might you also see my plaine dealingis with you to whome I have fullie imparted my intencons in all matters. And findinge your lordships wisdomes (beinge bentt as by your lordships owne reportis I conceive they be) cannot moderate the sensualities of others, I am

¹ A proclamation had been issued at Linlithgow in the Queen's name, on 6 May. (*Diurnal of Occurrents*, 174, 175; see also *H.J.S.*, 53.)

forced so farre as apperteinethe to the Queen my mistress
cawse to provide a remedie. I have retorned this berer
Richerd Wrothe with thes lettres to your lordships, and
have willed him to make some further declaracone for
other matters, wherin I praye your lordships to geve creditte.
And so I bidd your lordships hartelie well to fare. From
Barwick viij^{vo} Maij 1570.

Your lordships lovyng frend

T. SUSSEX.

Original, autograph signature, traces of seal, $\frac{3}{4}$ p. Vol. A, 144.

LXII

Charles IX. to Kirkaldy of Grange

26 May 1570.

The King sends Verac, his 'vallet de chambre ordinaire,' to be resident
agent in Scotland, to work on behalf of the auld alliance, and to do his
utmost to advance the service of the Queen of Scots.

St. Malo delisle, 26 May 1570.

MONSIEUR DE GRANGES CAPITAINE DU CHATEAU DE
LISLEBOURG.

Monsieur de Granges, Jenvoye presentement en Escosse
Verac mon vallet de chambre ordinaire pour y resider mon
agent,¹ et en ce faisant traicter et negocier de toutes choses
quil verra et congnoistra estre necessaires pour lentre-
tenement de la bonne et ancienne aliance et amitie qui de
tout temps a este et est encores entre moy et mes pre-
decesseurs roys de France et ceulx d'Escosse, noz royaumes
pays et subjects, et aussy pour faire envers vous et tous
autres qui seront affectionnez au service de la Royne
d'Escosse ma belle seur tous les bons offices quil pourra, affin
de rendre a ladicte Royne vostre princesse souveraine et
naturelle lobbeissance et fidellite qui luy est duee comme
le devoir et la raison le commandent, dequoy je vous ay
bien voulu advertir; et prier croire ledict Verac de ce quil

¹ Verac had been commissioned in February 'to the lords of Scotland who
convened at Lythko, and returned with capitulations accorded at that conven-
tion.' He did not come to Scotland, as resident agent, until 7 September,
more than three months after the date of this letter. (C.S.P., iii. *ad indices*.)

vous dira de ma part comme vous voudriez faire moy-
mesmes. Priant Dieu vous avoir en sa saintet et digne
garde. Escript a St Malo delisle le xxvj^{me} jour de May
1570.

CHARLES.

Original, autograph signature, trace of seal, $\frac{1}{2}$ p. Vol. A, 148.

LXIII

The Cardinal of Lorraine to Grange

28 May 1570.

The Cardinal of Lorraine is very glad to have news of the good part that
Grange has played: he had always been of opinion that he would not be
willing to see the ruin of his Queen and country. If he continues as the
writer hopes, he is assured that the King of France will recognise his good
offices in this affair, for the King takes as lively an interest in Scottish as
in French concerns. It is his desire always to nourish the good alliance
of France and Scotland, and this fact is of importance to him. Grange
will have news of France by the envoys on this ship which the King is
sending in advance of the more ample supplies which are to be entrusted
to Mr. Thomas Fleming, who has been retained for this purpose.

Dol, 28 May 1570.

Monsieur de Granges, jay este merveilleusement ayse
davoir entendu de voz nouvelles et du bon party que vous
avez priz selon la bonne opinion que jay tousjours eue que
ne voudriez endurer la ruyne de vostre Royne et de vostre
patrye. Et vous assure que si vous continuez comme
jespere que le Roy recognoistra les bons offices que vous
ferez en ceste affaire comme celluy quil a en telle recom-
mandation que celles de son royaulme pour le desyr quil a
dentretenir tousjours la bonne allyance de la France et de
l'Escosse et qui entent tres bien combien ce faict luy est
dimportance. Et pour ce qui vous entendrez de noz nou-
velles par ceux que nous envoyons avec ce vaisseau que sa
majeste a despesche attendant autres plus amples que
nous vous manderons par Mr. Thomas Flamyn qui a este
retenu pour cest effect,¹ je ne vous escriray autre chose

¹ It was reported in July that Mr. Thomas Fleming was in Brittany ready 'to
embark with 400 harquebusiers for the guard of Dumbarton.' In the following
April his patrons complained that he had 'done his duty very badly.' (C.S.P.,
iii. nos. 356, 726.)

sinon que je prendray pl[aisir . . .] les moyens de employer pour vous en ce quil . . . [b]onne volonte que vous le scauriez desyrer, avec laquelle je pryé Dieu quil vous donne, Monsieur de Grange, entierement ce que meulx desyrez. De Dol le xxviii^e de May 1570.

Vostre bien bon amy

C. CARDINAL DE LORRAINE.

Original, autograph signature, trace of seal, 1 p. Vol. A, 145.

LXIV

Bishop of Ross to Lethington

15 June 1570.

I have resaved your lettres dated the xxvi off May heir at Chatisworth the x off Junij bot on the resait therof I had wryten to you at lenth lyk as the Quene did with my lord Levinstoun,¹ be the quhilkis you wilbe resolved of mony pointis contened in your said lettre. I wrait to you that I resavit your lettre and credit from Thomas Cowy² at London and send to Leycestre to know the Quene off Englandis mynd quhyder if yow suld come heir or not.³ He hes send me word that scho wil nawais have yow cumming as ane of the commissionaris becaus scho is yit offendit with you, and therfor it apperis guid that ye cum not hither bot remain quher ye ar to use your wisdom and diligens as may best avance the Quenis effaris, for I persave your weil and saiftie dependis theron, in respect of the

¹ On 14 June, Mary assured Elizabeth 'that my determination is to follow directly the course which will be the most agreeable to you, and no other; and to this end, I have despatched Lord Levingston with letters and instructions to my nobility to admonish them to render themselves conformable thereto as well in the cessation from arms, and the return of your forces, as for the other points of the sureties and pledges.' Livingston's passport was dated 31 May; he departed on 9 June, but was detained at Berwick as Sussex had reason to believe that Elizabeth might wish 'to break off these dealings.' (*C.S.P.*, iii. nos. 286, 292, 301; Labanoff, iii. 63-66, 71-72.)

² A servant of Maitland, and often employed on missions to Flanders and the Bishop of Ross. (*C.S.P.*, iii. no. 386.)

³ The Bishop's letter to Leicester is dated 2 June. It was proposed that if it pleased Elizabeth, Lethington should 'come hither to further all matters . . . to some good, happy, and quiet end.' (*C.S.P.*, iii. no. 273.)

greit feid and ennimitie born against yow be your Scotis peiple, and the greit heirschip taken of your faderis landis: Bayth war suir deimonstrationis of ther malice,¹ yit I am incouragit be your stout and deliberat mynd. Assuir your self na diligens salbe omitted to procur suport furth off al partis quher it may be had. We wil not refuis the aid nouthor of papist Jow nor gentil efter any advyce, and to this end during the treatye lat al thingis be weil prepared. And seing my lord Seton is desyrous to go in Flandres the Quene thynkis it verry necessar that he so do,² for the Duk d'Alva hes gotten expres command of the king of Spane to gyve support, and I am assured that ther he sal have ayd bayth off Flandres and the pape, for it abydis only on the cumming of som men off cuntenance to procur and resave the same. He most nedis tary thair on the preparation therof during this trefte, quhilk wilbe a greit furtherance to the same heir. The Quene hes alreddy wryten to the Duk d'Alva for this effect, advertising of his cumming. Thair is certain sowmis off mony cum ther for suport of the Inglis men, as I wrait to you befor, from the pape, quher upon I wald he hald a generall commission to deal for tham and ressave syk soumes as salbe given. The mean salbe found to caus you be ansuerit of the soumes you wryt for to be disponsit upon furnissing off the castel off Edinburgh, sa being som honest and treu man war send to Flandres to ressave it as said is, quhilk I wald yow prepared and send. Ordour salbe taken for the metalis as you wrait off. We have preventit your avyce in entring to treat with the Quene off England for retyring off hir forces principally for lak off ayd. Your answeris to the Inglis men ar thouycht verry guid. Bot above all keip yow weil out off ther handis. In that case *estote prudentes sicut serpentes*. You

¹ Probably in May during the raids of the King's party and their English allies upon the lands of the Queen's faction.

² As early as February, Mary was looking for help from Flanders. (Labanoff, iii. 23.) Seton, however, did not depart until the end of August. (*C.S.P.*, iii. *ad indices*.) He laboured to obtain 'an armie of ten thousand men to have landed in Scotland, to invayde England. But when he had exponit this purpose to the Duc, it was refusit, becaus the King could not obtene men anew to fortifie his awin caus in Flanders.' (*H.J.S.*, 61-63; cf. Labanoff, iii. 135.)

may tak experience with the hard dealing with me hou ye wald be usit if ye war heir, and yit I am not furth off danger being *in medio nationis pravae*.¹ Alway na feir with Godis grace sal mak me shrink from hir majestie servyce. Sen the Quene off England hes refusit that you cum heir it apperis to me *quod nondum est sedata malitia Amorreorum* etc., and thairfor gif Athoil or Cathenes mycht be ony meanes be procurit to cum they war the maist fit for the purpos. Roth's² war also meit gif he and I war not bayth of ane surname sa the treatye wald get the les credit ether in Scotland or heir. Thairfor avys and send the best may serve the turn, and fail not Robert Melvil³ cum with thaim quha evir cummis, for so is the quenis plesur. In my last pacquet with James Fogo to you in the beginning off Maij I send ane lettre of the Quenis awne hand wryt to him, quhilk I wis ye have ressavit. I am sorye ye cum nocht for the gret relief I hoped to have had be your presence, for you culd weil have handillit the Quene of England eftir hir humour as ye war wont to do. The rest referis to your gud wisdom. Praying God to send yow health. From Chatisworth,⁴ the xv off Maij [*recte* Junij] your assuirit

[*Endorsed*] Double de la lettre de l'evesque de Ross to the secretary [*sic*].

Copy, unsigned, 1½ p. Vol. A, 155.

LXV

Mary to Lethington

8 July 1570.

I wraitt to yow sen my Lord Levingstounis depairting heifra be tua sindry moyans of the Lady Northumber-

¹ He was released from restraint in May. (Labanoff, iii. 52 n.) For some time previously he had been taking part in affairs. (*C.S.P.*, *ad indices*.)

² Andrew Leslie, fifth Earl of Roth's.

³ Mary had had recent experience of Melville's services. He had been sent in April to carry to her the assurances of her party. (*C.S.P.*, iii. no. 171.)

⁴ Mary had been conveyed to Chatsworth in Derbyshire towards the end of May. (Labanoff, iii. 55 n.)

landis¹ and laitle be ane servand of the lard of Craigmillaris² callit Home. I have sene ane letter of youris writin to the bischope of Ros the xv of Junii quhairby I perceave the point my good subjectis ar at and the neid they haif of foreyne support, and consideris weil the gritt skaith and dampnage by the hazard of your awne lyff that ye your father brother and freindis suferis for your constancy in my cawses quhilk, God willing, I hope to recompence nochtwithstanding all thir threatningis. I have writtin to yow all reddy quhat opinioun I have of the foreyne aide and quhat good apperance ther is of the same baith frome France and Flanderis, albeit the surest and best way wer to aggre with the quene of England as ye wryte; to the quhilk effect I depeschitt my Lord Levingstoun toward yow to treat thairapoun, as I am assured that or now ye haif sene his commissioun. The stay that he gatt, the Queen of England and her consall said that thai knew nocht thair of, and now we await upoun your answer and deliberatioun. I have gevin charge to the bischope of Ros to purches licence to send ane semple messinger ther to know the treuthe of my Lord Levingstounis stay in England³ and to sollicite for ane surare pasport nor is giffin ordinarlie for thame quhome may be chosin amangis yow as commissioneris in this treatie, quhilk incontenent efter it beis obtened salbe send to yow with deligence. Bot in the meantyme, in cais the treatie hald nocht, it is best, to provide for the nixt dainger, as I wraitt to yow of befor, to send my Lord Setoun in Flanderis, and to my part on the other syde I sall leave na wyis onsocht, nor sall spair na deligence for the advancement of support frome all partis. Becaus I send this lettre to be convoyit to yow be the Bishop of Ros moyen frome Londoun quha will and

¹ Lady Anne Somerset, wife of Thomas Percy, Earl of Northumberland. She sought refuge in Scotland in December 1569, after the failure of the Northern Rebellion, and accompanied Lord Seton to Flanders in August 1570. (*C.S.P.*, iii. *ad indices*.)

² Simon Preston of Craigmillar. He was at this time in France. (*C.S.P.*, iii. 287.)

³ See note to last letter. Livingston did not enter Scotland until the beginning of July.

can advertis yow of all other newis and occurrences better nor I my self, I referre the same to him quhome ye sall crydite, and so biddis yow fair weill, the viij of Julii at Chattisworth.

Copy, unsigned, $\frac{2}{3}$ p. Vol. A, 151.

LXVI

Chatelherault, Huntly and Argyle, lieutenants of Mary Queen of Scots, to Ferdinand Duke of Alva, Viceroy of Lower Germany.

[10 August] 1570.

You, like all the world, are bound to know how unjustly the Queen of Scots has been treated, having been detained for almost three years in England, while arrogant and villainous men have sought to transfer the government to her infant son, in order to have the more scope for their unbridled insolence. To us, who have learned by divine precept and the custom of our ancestors to venerate majesty and defend the kingly estate to our uttermost, nothing more calamitous could ever befall than to lack our queen, and that she, deprived of her kingdom and rank, is living in squalor in an alien land. And what is more, these traitors are in no way the peers of us, the Queen's supporters, and would be helpless but for English aid. The English not only hold our Queen a captive, but also carried war into our country. Thrice they have invaded our land under the leadership of certain renegade Scots and devastated our most fertile provinces, etc.¹ Yet they have not moved us from our fidelity. But some time since the Queen caused us to understand that the King of Spain and you, Alva, were eager to support her fortunes, and that she was willing to submit to the King's wish, if we would implore his help. For this end we send George

¹ *C.S.P.*, iii. no. 270, contains an account of 'expeditions into Scotland' between 17 April and 1 June 1570.

Baron Setoun, royal counsellor, on the nomination of the Queen; and ask credence for him.

Datum ex aedibus nostris die mensis 1570.

Latin: copy, 3 pp. Vol. A, 142.

Calendared, *C.S.P.*, iii. no. 408. This copy omits certain details, given above in the Warrender MS., but the substance is the same. Date supplied from *C.S.P.*

LXVII

'The articlis presentit to the Quene of Scotland be Schir Williame Cecyll knyght secretare to the Quenis Majestie of Yngland and Sir Walter Melony¹ knyght chancellair of the chekkar at Chattisboroch the second day of October 1570.'

2 October 1570.

First: that a 'perfyte amitie may be maid betuix thame,' and that all treaties and agreements made since the accession of Elizabeth for the good rule of the Borders may be confirmed anew.

Item: that the Queen of Scots shall particularly confirm the clause of the Treaty of Edinburgh, of July 1560, renouncing 'all maner of titlis challengeis or pretenssis to the croun of England' during the life of Elizabeth and her issue, if any; and this shall not be to the prejudice of 'ony richt or title that sho or hir childrene may heireftir have.'

Item: she shall league herself with no prince or country against any part of Elizabeth's dominions, nor allow her subjects to do so. If England should be invaded without just cause, the Queen of Scots shall aid the Queen of England with land and sea forces, as required, at the expense of England; and shall allow Scottish volunteers to serve the English crown. Elizabeth shall make a like covenant for the defence of Scotland.

Item: that no foreign soldiers shall be allowed to repair to Scotland, nor to reside in any Scottish stronghold. Any there at present shall be deported within a month from the date of this treaty.

Item: the Queen of Scots shall hold no correspondence,

¹ Sir Walter Mildmay.

directly or indirectly, with any English subject without licence of Elizabeth, or immediate notice given.

Item : she shall cause the Earl of Northumberland and other English rebels to be handed over by the Scots, and allow no more to have refuge there.

Item : she shall cause full amends be made for the depredations of the men of Teviotdale and other Scottish borderers since the Earl of Westmorland entered Scotland, or else deliver the principal offenders into the hands of the English warden, according to the border laws.

Item : she shall actively assist in the prosecution of those 'gilthie or deulie suspect' of the murder of Lord Darnley, her late husband, Elizabeth's 'narrest kynnisman of the bloode royale'; and likewise for the punishment of the murderers of Regent Moray.

Item : before the Queen of Scots recover her full liberty she shall cause her son, for his greater safety and as a hostage for herself, to 'be brocht into England to leve in sum meit and honorable place' in the charge of Scotsmen chosen by Lord Lennox, his grandfather, and the Earl of Mar, Regent, or by either of them, with Elizabeth's consent; and there to remain during her pleasure: providing that she pledge herself that he be gently used in all respects as her 'narrest kynnisman,' and that his mother may at all times send messengers to visit him, these messengers coming by way of the wardens and having their passports. And, if the Queen of Scots should die, or should wish to admit her son to the government on his attaining years of maturity, the prince shall be immediately restored to Scotland, and established there by Elizabeth in such freedom as if he had never dwelt in England.

Item : the Queen of Scots shall contract no marriage without the knowledge and consent of the Queen of England, or of the greater part of the Scots nobility, who shall certify under their writ and seal that the proposed marriage is in the public interests and not prejudicial to the amity between the realms.

Item : the Queen of Scots shall allow none of her subjects to go to Ireland without safe-conduct of Elizabeth.

Item : she shall at once 'deliver such testificatiounes as sho hes in writing' from the French king, Monseigneur Damowen¹ and the Cardinal of Lorraine, 'for the disavowing of a pretence of marriage betuix hir and monsieur Damowen.'

'The maner of assurances for the premissis'

The contracts to be first drawn up and concluded 'in writting and with the handis and seales of boith the quenis or of sufficient commissionaris' amply authorised.

Item : there shall be six hostages, named by Queen Elizabeth from 'the noblemen of Scotland'; three to be earls, and three, other lords of parliament or of such rank as shall please her Majesty. They shall remain in England for the space of three years as surety for the Queen of Scots 'to performe the covenantis that can nocht be accomplisheit befor hir returning home.' It shall be lawful for any of them to return to Scotland upon request, if substitutes of equal rank be first sent into England by order of the Queen of Scots and with the approval of Elizabeth.

Item : the Queen of Scots shall pledge herself that if she 'attempt any thing dirogatorye to the Quenis majesteis richt and title to the croun of England,' or aid or abet any attempt to dispossess her of any part of her dominions, or assist any English traitor at home or abroad, in that case she shall be, by her own consent, 'deprived and secluidit frome ony maner of title challenge or claim to be ane air in successioun,' and it shall be lawful for Elizabeth to punish her for the breach of her oath by promoting 'the young king by all meanis possible to the possessioun of the crowne of Scotland.'

For 'forther assurance' this treaty shall be confirmed by act of parliament, under the great seal of Scotland, and the seals of the lords of parliament and of the barons and burgesses, the parliament to be held as soon as the laws

¹ Henry, Duke of Anjou. The Cardinal of Lorraine was author of a project to marry Mary to Anjou, to whom she was to 'yield her estate of England and France.' (*Calendar of Foreign Papers*, 1569-1571, nos. 311, 313.)

of Scotland permit, so that the Queen of Scots 'shall pas oute of England.'

Item, until the rebels that were harboured in Home Castle be handed over, and restitution made of the spoils committed in England by the rebels entertained by Lord Home in Home Castle and Fast Castle, the said castle of Home shall be held by the Queen of England.¹ The revenues shall be expended only upon the maintenance of the garrison, and if restitution be made and the rebels can not be recovered within three years, the castle shall be restored in as good state as it was received.

Copy, 2½ pp. Vol. B, 293v.

Printed in Haynes, *State Papers*, 608. Inventoried in *Hatfield Papers*, part i. p. 485.

The Warrender copy does not contain the 'Answers and Requests' of the Queen of Scots.

LXVIII

Mary to the Abbot of Dunfermline

13 March 1570-1.

Is glad to hear of his safe return to Scotland,² and trusts that he will be in the future, as he has been in the past, 'ane faithfull and trustie Counsalour . . . for the advancement of our service in these partis.' She knows how in his absence he has sustained 'grit wrongis' at the hands of his 'unthankfull cousin,'³ who has deprived him of his

¹ In December 1569, the English government 'vehemently suspected that the said Earls [of Northumberland and Westmorland] and their complices . . . by the help of the Lord Hume will put into Fast Castle.' In January, Lady Northumberland was entertained at Home Castle. Sussex and Hunsdon marched against it in April, when it was delivered unconditionally. Hume was still a suppliant for the restitution of his houses in July 1571. (*C.S.P.*, iii. nos. 59, 84, 836, p. 629.) He was one of the Castilians exempted from the amnesty upon the fall of Edinburgh Castle; and he was forfeited by Act of Parliament in 1573, but the estates were restored to his son in 1578. (*A.P.*, iii. 108; *Scots Peerage*, iv. 462.) Cf. no. LXXXVI.

² In April 1570, 'the old Abbot of Dunfermline' requested a safe-conduct to return from France through England into Scotland. He had not yet arrived in June. (*C.S.P.*, iii. nos. 201, 287.)

³ David Dury of that ilk. In 1563, George Dury, Abbot of Dunfermline, 'granted a tack of the office of Bailiary of the Regality of Dunfermline in favour of David Dury of that ilk.' (*Illustrations*, p. 4 n.)

living, and employed the same 'most manifestlie aganis us.' She therefore wishes that 'ordour wer putt therto,' so that he might come into his own again, and her service be benefited by 'ane part therof.' To this end she desires him to 'tak panys' to compose the troubles between his cousin, the Laird of Dury, and the Laird of Grange, captain of Edinburgh Castle, and his friends,¹ so that he, the Abbot, may have access to the Castle and safe residence there until her return. She will undertake to wipe out the memory of any former differences between the Abbot and Grange and his friends. The Captain will assist in 'taking up' his revenues, 'and ane part therof to serve for the furnesing of the said house, quhilk we doubt not but ye will fynd gud, rather nor that our rebelles sould enjoye the samen as they haif done aganis us thir yeiris past.' She has likewise written to Grange to this effect. She hopes that the Abbot 'will agrie to this our ressonabill desyre'; otherwise she must find some different means to prevent his 'ungraitfull cousin' from spending these revenues 'so playnlie aganis us . . . as the same is ordinarlie done be him.' He is to send his answer to Grange, who will transmit it to Mary.

'From Shefeild, the xiiij daye of Marche 1570.'

In a postscript she again implores him to spend himself and his substance in her service, and not to allow his nephew 'to brook any pert off your goods to serve aguenst God, his Prences, and you his oncle.'

Printed in Miss Warrender's *Illustrations of Scottish History*, Letter II.

LXIX

[13 April 1571.]

'Ane proclamatioun maid be Sir Williame Kirkaldy of Grange knyght.'

He is provoked to reply to certain untrue reports pub-

¹ Grange declared that there had been a feud between his house and that of Dury for 'these twenty years, for sundry injuries done by them to me and my friends.' (*C.S.P.*, iii. no. 585.)

lished against him by Matthew Earl of Lennox, unlawful usurper of the government.

Fragmentary copy, undated, $\frac{1}{3}$ p. Vol. B, 285v.

Printed in Calderwood, iii. 61; calendared in *C.S.P.*, iii. no. 698; *T. and S.P.*, ii. pp. 223, 249.

LXX

14 November 1571.

Instructions at Bervik by the erle of Mar regent.

Rex

Instructionis to our richt traist cousing and counsalour James erle of Mortoun lord of Dalkeith, chancellair and greit admirall of our realme, and to oure traist counsalour Robert, commendatere of oure abbay of Dunfermling¹ our secretair principall and Maister James Makgill of Rankelour Nethir clerk of our Registre our commissioners specialie constitute to convene confer treate and conclude with our richt traist cousing Henry lord of Hunsdon governour of Bervik lord wardane of the cist marche of England foranent our realme, and commissioner auctorized for our dearest suster and cousin the quene of England.² Geven be our richt trustie and richt wellbeloved cousin Johnne erll of Mar lord Erskin Regent to ws our realme and liegis³ with avise of the lordis of our previe counsell At Leyth the xiiij day of November 1571.

After presenting of our commendationes with the lettre and commendationes of our said cousing and regent to oure said cousing the lord of Hunsdon, ye may declair unto him how we culd neyther send commissioneris nor fully understand quhairin to instruct thame, quhill of late be his lettre and messaige send with Johnne Cais the provest

¹ Robert Pitcairn.

² Henry, Lord Hunsdon, had Instructions dated 22 October 1571, 'to employ all his understanding' to procure a pacification in Scotland, and the delivery of Edinburgh Castle to the King. He was to accomplish his mission if possible by treaty; otherwise by force. (*C.S.P.*, iv. no. 28.)

³ John, Earl of Mar, was elected Regent on 5 September 1571, and accepted office on the 6th. (*A.P.*, ii. 58, 65, 66.)

marscheall of Berwik,¹ how alsua ye ar burdynnit at this tyme as best acquainted with the state of the materis now to be treatit of, quhairanent our meaning is to deale franklie and familiarlie with our said cousing the lord of Hunsdon, knowing his awin guidwill towardes ws and our caus, and his furthwartnes to execute our gude suster the quene his souveranis service and commandment, quhilk ye may delait and extend with gude language as ye see occasion proper and convenient.

And although ye can not conveniently be instructed in quhat ordour to begin this treatie intendit quhill ye first perceave quhat beis proponit unto yow, and howfar the lord Hunsdon hes power to proceid, yit of that quhilk may be collectit of the Quene our dearest sisteris awin lettre and the severall lettres ressavit fra him, she is myndit to enter in contract with ws tueching the maintenance of our estait to procure ane universall quietnes in this cuntrie be a generall obedience to our auctoritie and commoun repose of baith the realmes. And sen it is probable that our rebellious subjectis, the movaris and intertenaris of this troublit state, will not yeild thair obedience to ws and our auctoritie urtherwise nor be force, requisite it is thairfore, that ye begin in treatie toward the same maintenance and how be hir Majesties ayd and forceis our rebellious subjectis may be maid obedient.

And first, that it may be agreit upon be a mutual contract to be past betuix our said dearest suster and ws, that she sall tak upoun hir the maintenance and protection of the trew religion preached and established be law in baith the realmes, and of ws our realme nobilitie and obedient people to our auctoritie, quhairthrow the godlie peax betuix the realmes may continew, to the confusioun of thame that now gais about to disturb the same.

And for pacifying of the troublit estait of our realme and reducing of the same to the universale and perfite obedience of ws, quhilk now first and cheiflie consistis in recovering the libertie of the castell and toun of Edinburgh, albeit

¹ John Case was despatched from Berwick on 4 November. (*C.S.P.*, iv. no. 38.)

our said cousing the lord of Hunsdon knawis weill anewch quhat wer requisite for sic ane interprise, yit gif ye salbe askit quhat wer sufficient, we can instruct yow to desire na other thing in effect then that quhilk James Cunynghame¹ had laitlie in command to crave, quhilk in the opinioun of our regent and counsale wer able to bring the mater to a haisty end: that is, twelf pecis of battry, quhair of aucht to be cannonis, with pulder bullettis pioneris and utheris necessaris pertenyng thairto, thre thousand futemen off quhom a gude nowmer to be pikmen with corslettis, besides the intertenyment of viij^e futemen heir alreddy levyed, quhilkis for the maist part ar harquebussiers, and thair-withall twa hundreth horsmen.

Item, that our said cousing the lord Hunsdon, in name of our dearest suster the quene his soverane, will presentlie denunce to our subjectis inhabiting the frontiers of our realme, quhilkis hes and dois assist this publict rebelloun, quhais names ye knaw, that indilaitlie² they yield thair obedience to our auctoritie, mak suirtie thairupoun and for observatioun of the peax betuix the realmes quharof thay have bene cheif disturbers. Or then to tak ordour how they may be presentlie persewit and suppressit, this season of the yeir maist properlie agreing therfor.

Item, gif ony force of strangearis arrive in our realme from ony foreyn cuntreis, that our said dearest suster sall send force heir to resist thame, according to the nowmer and preparatioun of the strangearis, for quhatsoever is or salbe attemptit aganis our estate is alike as gif it wer aganis hir awin.

Item, that our said dearest suster sall nevyr transact or entir into ony contract or league with ony foreyn princes quharin the caus of the trew religioun, we our realme and our nobilitie and obedient subjectis being in hir protectioun sall not be comprehendit. And that ye accord to the like for our part.

Item, because our croun and utheris our royall orna-

¹ James Cunningham, brother of the Laird of Drumquhassill (Calderwood, iii. 148). His 'demands' are specified, under date 1 October. (*C.S.P.*, iv. no. 1.)

² indilaitlie = forthwith.

mentis jowellis and movables, the maist part of our ordinance and weirlike munitionis, the registers and recordes of the cheif materis concerning our estait and croun ar within our said castell of Edinburgh, that howsone the same is recoverit be force out of the handes of the present detenaris thair of be hir hienes ayd, nathing being thairin salbe exponit to pray bot be reservit saulf to oure behuif and use, as alsua the same our castell to be indilaitlie deliverit in the handes of our said regent. And seing a greit part of the houssis and gudis being within the toun of Edinburgh belangis to our gude subjectis inhabitantis therof and others now debarrit from the use and possession of thair awin be tyrannie, that howsone the same toun beis recoverit be force, hir Majesties ministers suffer nathing to be attemptit thairin nor urtherwise do ony pact concerning that interprise, bot according to the advise and agreement of our said Regent and nobilitie professing our obedience, without quhais advise alsua thay sall nowthir keip strenth nor forth¹ of new within the grund of Scotland.

For quhilkis caussis our regent with the nobilitie professing our obedience sall ayd and support our said dearest sisters forceis cuming in our realme in our querrell and for maintenance of our auctoritie aganis quhatsoever strangearis or Scottismen thair partakers with horsemen futemen and with victuallis bayth be sey and be land and sall continew in maner and during the space following: that is to say, with the force of our haill gude subjectis in caise of persute and insurrectioun within our realme, and to accompany our said derrest susteris munitioun at the assege of the said toun and castell of Edinburgh with thre thousand men during the space of a moneth; and gif the assege sall continew langar, with sic sufficient forces as salbe necessar during sic space thairefter as the said assege sall indure, and alwayes the haill force of our gude subjectis to be reddey to resist ayther foreyn or Scottis pouer that mycht pretend to reskew the said assege.

Item, we salbe inemy to all sic as sall ony wyse schaw

¹ Neither stronghold nor fort.

thame selffis heirefter inymeis aganis our said dearest suster and hir estaitt.

Item, in caise our said deirest suster and hir realme sall heirefter at ony tyme be invadit be foreyn power or be troublit be inward commotioun, we sall furniss sic nowmer of men as our realme may forbeir to pas on hir Majesties chargeis to ony part of the realme of England for defence aganis the same invasioun. And in caise the invasioun or troublis salbe in the north ewest¹ the bordouris of Scotland, we sall convene our forceis upoun our awin chargeis to joyne with our said dearest susteris power to the same effect, and we with our subjectis sall continue salang in the fieldis in that querrell as thay wer wont to do for the defence of our awin realme in ony tyme bigane.

Item, howbeit we doubt not bot our said dearest suster and our said cousing the lord Hunsdon hir commissioner will accept this our offer in gude part and na wise mistrust the performance thair of, havand sa gude pruif of the trewth constancy and affectioun of our said regent and nobilitie professing our obedience towards hir hienes, yit in caise it be thocht expedient and that ye be preissit with hostages to be enterit in respect of hir hienes forceis and ordinance to be send in our realme to our ayd and support, rayther or it suld fail in default thair of, ye sall offer and aggre to enter twa thre four five at the farthest sex plegis, being of the sonnis, brethir, nixt cousingis, or in apparencé able to succed to our said regent and to the erlis and lordis of parliament professing our obedience, as of the erlis of Angus Ergile Mortoun Montrois Craufurdouglas² Marscheall Erroll Cassillis Eglintoun Buchane Menteith Cathenes Sutherland the lordis Ruthven Lindsay Glammis Gray Lovett Forbes Saltoun Innermeyth Ogilvy Oliphant Methven Drummond Yester Sempill Boyd Uchiltre Cathcart Borthuik Torphechin, to remane within the realme of England in places meitt and convenient during sic space as our said gude sisters army and forceis sall remane in our

¹ ewest = nearest.

² The paper is cut here along the fold, but the reading is clear. Crawford-Douglas is Crawford-Lindsay. (See *R.M.S.*, iv. 145.)

realme, upon thair awin chargeis, as hostages that hir hienes forces and ordinance salbe weill used and na wyse harmit utherwise nor be sic accident of weir as salbe commoun alsweill to our awin subjectis as to thame, and that the same hir Majesties ordinance and samekle of hir munitioun as restis unspent at the end of the service sall returne in saulftie, providing that our hostages be interchangeit at the end of every moneth or langer or shorter as may be agreit upoun, be entrie of utheris hostaiges of like degre and qualitie, and in the meyntyne that thay be weill and honestlie intertenyt, and als frelie sett at libertie to cum hame in Scotland how sone our said gude susteris present aid and force returnis to Berwik. And that the same and personaiges havand the charge thair of use the advise and direction of our said regent and nobilitie that sall enter the saidis hostages.

Item, ye sall appoynt upon the tyme of entering of hir hienes forceis in Scotland and gif the delay be ony thing lang, that hir majestie in the meyntyne bestow money to pay thir men of weir alreddy levyed with tua hundreth ma futemen, making in the haill ane thousand futemen and twa hundreth horsemen, off quhom certane nowmeris ar alreddy and mon be sent in severall corners of the realme to repress the attemptatis of our inobedient subjectis, be meanis of quhilk ordinar force materis heir may be sa orderit in this winter seasoun as at the cuming of hir hienes awin forceis and ordinance the interprise will not be found langsum nor difficill.

Item, the contract passing thus forwart for maintenance of the state of the trew religioun and of ws and our auctoritie in caise our said cousing the lord of Hunsdon think it meitt upoun offers maid or to be maid be our dissobedient subjectis within our toun and castell of Edinburgh to assay the quieting of our realme and bringing of the same to our universale obedience be treaty quharthrow our said gude susters chargeis may be the less, we can weill be content that swa be, and in that caise the thingis following are to be considerit.

Item, that our said cousin wilhave respect with quhom

he dealis, and for quhome our dissobedient subjectis speikis in speciall beside thame selffis and upon quhat warraunt.

Item, that he ressave not delays at thair handes, thair fraudulent dealing being sa weill knawin throw this haill Ile, and that thair intentioun is to protract tyme quhill the spring, that they may have succours of strangearis, as thay plainlie brag of, and for furthering of the same Mr. James Kirkcaldy, Grangeis brother, is alreddy schippit at Abirdene to pas in Flanders.¹

Item, befor ye be preissit in our name to condescend to any thing in ther favour, that the toun of Edinburgh at leist be restorit to the awin libertie and the honest inhabitantis now exilit to the use of thair houssis and guidis, in respect the toun wes takin and fortifiit in the verie tyme of assurance agreit unto be hir hienes awin desire and ordour, oure commissioneris then being in England, quhairthrow in honour oure said gude suster is bound to see that our toun [is] reponit to the state it wes in befor our saidis commissioners past in England at hir desire.

Item, gif our said dearest sisters intentioun be that upoun the submissioun of our saidis dissobedient subjectis, securitie be maid to thame for thair lyvis and levingis, we doubt not bot our said cousin understandis quhom she wald wishe to ressave that favour, for we have alwayes takin it for hir meaning and full intentioun, as we assuir our self it is yit, that sic as be law ar found guilty of the murtheris of the king our dearest fader or of the erll of Murray our regent suld ressave na sic benefite bot be used according to there desertis, for upon the punisment of the said first murther of our father and preservatioun of our innocent persoun wes the ground of the caus and actioun of the noblemen and others professing our obedience;

¹ On 4 November, Hunsdon had heard that Kirkaldy had gone to France for succours, while on the 25th Morton assured him that the Castilians 'look for plenty of foreign aid' which Kirkaldy was sent to procure from France and Flanders (*C.S.P.*, iv. nos. 38, 63). There was, however, at this time a *rapprochement* between France and England, generated by mutual dread of the Spanish power (Camden). A project was mooted for the marriage of Elizabeth and Anjou (Teulet, iii. 115, 121).

and for the murther of our gudesir and lait regent,¹ oure said dearest sister be hir lettre of the secund of October hes thocht it verie resounable that all sic as have alreddy bene found parties or accessaries to his deathe, or that heirefter salbe found ony wyse participant thair of, being not alreddy executed, may be with all severitie punished to the exemple and terroure of ony siclike mischeiff to be devisit and attemptit. Quhairthrow we traist that baith our said dearest suster and our said cousing bearing her authoritie will think that our dissobedient and rebellious subjectis ressavis favour anewch be hir means in that thay salbe pardonit for thair resisting of our auctoritie, and of the crymes committit during the troubles, according to the remissionis grantit to the erll of Ergile² and other noblemen that laitlie maid thair obedience and of the exceptionis thairin contenit, and will nowthir think thame alreddy found guilty of the murtheris worthy of ony favour at all, nor be content that ony haif favour be hir Majesties means, bot sic as sall ressave the same pardon on condition to suffer the triall of the law for all the thre murtheris.

Tueching securitie of that quhilk thay sall promise that cumis to the obedience of the king, it is to be thocht that nowther aith subscriptioun or promissis can serve for ony personis that heirtofore hes maid the like and wilfullie hes violat thame, bot uther securitie mon be providit.

JHON REGENT.

Original, autograph signature, 4½ pp. Vol. A, 75. Another copy in 'Collection of Styles and Correspondence with England during the Earl of Mar's Regency, 1571-2, etc.', f. 68 (H.M. Register House, Edinburgh).

LXXI

James VI. to the Town of Veere

5 January 1571-2.

Edward Blaw of Leith, master of a ship called *Posta Lethensis* (*quam vulgo postam lethensem vocabant*), has

¹ Regent Lennox, slain at Stirling in a skirmish with the Castilians on 4 September 1571.

² Argyle, Eglinton, Cassillis and Boyd recovered their escheats by Act of Parliament on 28 August 1571. (*A.P.*, iii. 63.)

complained that when returning from Bordeaux to Scotland, John Martin from Roscoff in Brittany (*e rusco britannie armoriceque oppido*) seized the ship with all its merchandise. Its owners were William and John Downie, Walter Scott and the said Edward Blaw, who sought redress from the Prefect of the Sea and the Scots conservator (*a maris prefecto et questore regis apud Scotos*), and have appealed to the King to write to Veere. James cannot refuse to intercede for them: and because these plaintiffs, being small men whose sole wealth is in daily commerce, cannot afford the cost of a protracted lawsuit, he begs that the town of Veere will show such expedition in the case as they would wish their litigants to receive in Scotland.

Given under the signet, and subscribed by John Earl of Mar, Regent. Stirling, 5 January 1571, *anno* 5.

Latin: copy, $\frac{1}{2}$ p. Vol. B, 272.

LXXII

[c. January 1571-2.]

'Ane commissioun of Lieutonandrie'

James, by the grace of God, King of Scots, to all good men to whom these presents shall come, greeting. We, understanding that our peaceful subjects upon the borders are gravely oppressed by the thefts, rapines and crimes of the inhabitants of these parts, and that the peace of the kingdoms is imperilled by their frequent raids into England, so that occasion of many great inconveniences may arise, if opportune remedy be not found; and considering that we, in our proper person, cannot go timely to the said borders for the punishment of our said malefactors, and their reduction to our due obedience, with the advice of the Lords of our Privy Council, by the tenour of these presents, we make, constitute and ordain our kinsman and counsellor William Lord Ruthven, Treasurer, our Lieutenant and Justiciar in that part within all the Marches of our kingdom towards England, giving granting and committing to our said Lieutenant and Justiciar plenary power and special mandate to hold lieutenant and justiciary courts

within the bounds of the said Marches whensoever and wheresoever, to cause suits to be called, absents to fine, transgressors to punish, exits, fines and escheats to uplift, and if need be to distrain therefor, and to apply them for his own use in recompense of his services, to prosecute all persons suspect or accused of theft, reset of theft, arson, homicide, murder, violent oppression, export of prohibited goods, especially such as are customable, or whatsoever other odious crimes perpetrated within the said bounds in any time past, to put them to an assize and to administer justice according to law and custom, to create deputies clerks servants doomsters and all other necessary officers and members of court, for whom he is bound to be answerable; to summon an assize or assizes of trustworthy persons within the said Marches and the four parts next adjacent to a sufficient number, each person under pain of £40; and to convoke our lieges within these bounds in military guise, and to summon them as often as necessary to this effect under pain of loss of life, lands and goods; to cite pursue and punish the disobedient according to law; to raise our standard; to seek and apprehend all rebels, fugitives from our laws, manifest thieves and their resetters, to follow them with fire and sword until they be reduced to our obedience; to command their masters and lords, and bailies under whom and in whose lands and offices they dwell, to enter them to underlie our laws before our said Lieutenant and Justiciar and his deputies at times and places prefixed for the purpose according to the general obligation and under the pains contained therein, and if they do not compear to command the said masters lords and bailies to answer for their diligence; to put them to the knowledge of an assize and to administer justice according to the laws of our realm, to compound for respites and remissions for the said crimes, for which his warrant shall be as effectual as if granted under our signet, secret and great seals, and to command [*precipiendi*] the holders of houses and persons within the said Marches, as often as need be, under pain of rebellion and lese-majesty, and to besiege their houses in case of disobedience, raise

fire, and use all kinds of military art and craft for recovering them. And in case it happen that some persons be wounded, slain or mutilated, or some destruction of goods be committed in the execution of our commission, we will and grant, and for ourself and our successors we decree and ordain, that the same will never be imputed as a crime or offence to our said Lieutenant and Justiciar, his deputies and assistants, and neither he nor any of them shall be cited or accused criminally or civilly in time to come, exonerating them for ever and granting them immunity; with power also to our said lieutenant to direct and command the Wardens of all the Marches, and to discharge the keepers of Liddesdale, and the forces of horse and foot, which we have now and will have in service for the good rule of the said Marches, and to put others in their place; and also to call for the entry of all persons within the said bounds for whom caution has been found to compare before us and the lords of our council or regents for the time, or justiciars or their deputies at whatsoever ayres or courts of judiciary and diets foresaid, and to call for all penalties and fines incurred by them or their cautioners for non-entry or for any other violation of orders. Wherefore we command all and sundry our Wardens and lieges within the bounds of the said Marches that they give prompt obedience to our said Lieutenant and Justiciar in all things tending to the execution of his commission under all pains competent, exonerating all and sundry our other justiciars and commissaries from all exercise of judiciary power and authority within the bounds of the said Marches, unless they have anew special power from the said Lieutenant and Justiciar, during the time of this our commission, which is to last during our pleasure.

Given under our great seal. . . .¹

Latin: copy, undated, 2½ pp. Vol. B, 296v.

¹ This commission is not found in the Register of the Great Seal. The date is probably about the beginning of the year 1571-2, when on 6 February a muster was summoned to meet at Jedburgh, 'thair to attend upoun Williame Lord Ruthven Thesaurare to our Soverane Lord and Lieutenant to his Hienes.' (*Privy Council*, ii. p. 117.)

LXXIII

7 October 1572.

'A copie of the letter frome Mr. Welsinghame to the erll of Mar lait Regente.'

He has received Mar's letters of 4 September, and is grieved to learn from them and other letters 'that nocht-withstanding the lait miserable accident¹ happynit heir in France is knowne to yow there, yit yow remane als fer frome aggrement as you did befor.' He exhorts the Scots to cast aside 'privat grudgeis and interestis' and to unite in face of the peril which threatens the Protestant faith. France and Spain, 'the twa grite monarcheis of Europe,' together with the other Papists will shortly proceed to the execution of their decisions taken at the Council of Trent and Conference of Bayonne.²

WALSINGHAME.

Paris, the 7 of October 1572.

Copy, 1½ pp. Vol. B, 310v.

Calendared in *C.S.P.*, iv. no. 453. A MS. copy in the 'Collection of Styles and Correspondence with England during the Earl of Mar's Regency, 1571-2,' etc., f. 91, under date 7 October 1573 (H.M. Register House, Edinburgh).

LXXIV

12 February 1572-3.

'Instructiouns at St. Johnstoun.

'Rex

'Instructionis to oure traist cousingis and counsalouris Archibald erle of Ergile Lord Campbell and Lorne, our chancellare and justice generall of our realme, Johnne erle of Montrois, Lord Grahame, Williame Lord Ruthven our thesaurair, Robert Lord Boyd, Robert commendatere of

¹ The Massacre of St. Bartholomew's Day, 24 August 1572.

² The Conference of Bayonne (1565) was a meeting between Catherine de Medicis and Charles ix. with Queen Elizabeth of Spain and the Duke of Alva. 'Protestants both in France and elsewhere believed that the policy was then concerted which bore fruit in the "Blood Council" of the Netherlands and the St. Bartholomew massacres.' (*Camb. Mod. Hist.*, iii. 7.)

our abbey of Dunfermling our secretaire and Sir Johnne Bellenden of Auchnoule, knyght, clerk of our justiciarie, oure commissioneris specialie constitute to convene, confer, treate and conclude with George sumtyme erll of Huntlie¹ and ane of the Duke of Chestelleraultis sonis² with sic otheris of thair freindis as thay sall think meitt to bring with thame, anent the removing of the publick troublis and civile weir within our realme and reduceing of our diss-obedient subjectis to the obedience of ws and our autoritie. Gevin be our richt traist cousing James Erle of Mortoun³ Lord of Dalkeith Regent to ws our realme and liegis with advise of the Lordis of our previe counsale. At Edinburgh the twelft day of Februar 1572.

'First of all we will not that ye sall deall with the said erll of Huntlie the dukis sone or thair freindis as pretending that ony commissioun of lieutenendry for the quene our moder restis in the persoun of the saidis Duke and erle bot as privat personis to be reducit to the obedience of ws and our autoritie.

'Ye sall move thame to condescend in speciall for quhome thay deale in this treaty.

'We will not that ye sall admitt ony equalitie to have bene or to be betuix our lauchfull auctoritie and the wrangfull and usurpit procedingis of our disloyall subjectis, bot that all thing to be grantit be ws in ther favour is be way of grace upoun ther submissioun and offer of obedience. We will not that ye sall admitt ony to be comprehendit under the treaty bot sic as ar presentlie within our realme and dependis properlie on the Duke and erll,⁴ without thay salhave special commissioun of the personis for quhome thay sall sa spek.⁴ Nor yit will we that ye sall treate or deale in ony thing tending to the favour of sic as ar not comprehendit in the late abstinence grantit be ws with advise of our said regent upon the xxvj day of Januar last

¹ Huntly, Chatelherault and his two sons had been forfeited by the parliament at Stirling on 28 August 1571. (Calderwood, ii. 137.)

² Lord John Hamilton, Abbot of Arbroath. (*P.C.*, ii. 193.)

³ Morton succeeded Mar as Regent on 24 November 1572.

⁴ Cancelled.

bipast,¹ exceptand alwayes James sumtyme Erll Boithuile and the utheris personis speciallie exceptit in the first abstinence,² and that alwayes ye except James Hammiltoun sumtyme of Boithuilhaugh³ and John Hammyltoun provest of Boithuile his bruther.

'Gif ye sall find thame myndit to yeild thair obedience to ws and our auctoritie and that they urge yow to condescend quhat we require of thame to be done and quhat suirtie for their obedience in tyme cuming:—First, we will,' etc.

The terms of the Pacification which resulted are embodied in the Register of the Privy Council held at Perth on 23 February 1572-3 (*P.C.*, ii. 194 ff.⁴) Not all the points of the Instructions were embodied in the Pacification. The Instructions specified that the pledges were to be enacted from 'sic of thame as heirtofore acknowlegit ws be thair aithis and subscriptionis and sensyne hes maid defectioun,' also from 'sic as ar of our blude royall and loukis peradventur be our deathe to haif warldlie promotioun or commoditie.'

They do not stipulate particularly for the liberation of 'James Glen of the Bar and his sonnys' (*P.C.*, ii. 195), nor for a discharge to Lord Semple, but only 'that the maister of Forbes and all utheris prisoneris be presentlie sett at libertie, and all bandis for entrie of prisoneris, or bandis and promissis for payment of ransonis be dischargeit.' On the other hand, the Instructions demand 'that Makintoshe may retene and brouke his landis, still haldin of the king, quhillkis of before he held of the erll of Huntlie.'⁵

¹ The French and English ambassadors had been instrumental in effecting a truce for two months as from 1 August 1572. It was afterwards prolonged to 1 January, whereupon 'albeit the abstinence was givin up with them of the castell, it continued betwixt the regent, the Hammiltouns, and Huntlie, till the 16th of Februar.' (Calderwood, iii. 259.)

² Cancelled.

³ The assassin of the Earl of Moray.

⁴ A partial copy is also contained in the Warrender Papers. See following document.

⁵ It is interesting that this stipulation was not embodied in the final settlement. There had been a feud of long standing between Mackintoshes and Gordons. A promise of Huntly's forfeited lordship of Badenoch was made to

'That McYntoshe and utheris kyndlie tenentis duelling upoun the landis of thame quhilkis now returnis to our obedience or ther wassellis that hes servit ws and withdrawin thame fra the service of our dissobedient subjectis salbe maid sure not to be troublit in ther bodyes heretaiges possessionis and stedingis in tyme cuming.

'That the Shereff of Bute¹ may haif his awin landis in Arrane agane for the same soume of money that his fader ressavit for it, or at leist may have a reversioun for redemptioun of the same apon the like soume as wes ressavit in consideratioun of the compulsioun and extraordinar meanys usit to caus him sell his awin land, the Duke then being governour.'

[*The rest of the page is blank in the MS.*]

The Register of Privy Council here enumerates the rebels whose forfeitures were reduced, but the terms of the Pacification omit an 'item' of the Instructions: 'Item, as toward personis dispossessit of benefices. In respect of the varietie of the circumstances titillis and possessionis in sic caissis, we will that ye enter in particulair compositioun theranent for according of the personis contentent, and specialie tueching the benefices of Abirbrothok and Paislay.'

According to the Instructions, not only the murderers of Regents Moray and Lennox were to be excepted from the general remission, but also 'all sic personis as hes committit and practizit incest, witchecraft, forgit prentit and outputt fals and corruptit money alsweill within our realme as without, and furnessaris of metall and stuff thairto, and all that hes committit fire rasing slauchter murther revissing of wemen or quhatsumevir uther criminall deid aganis ony

Mackintosh, and this is said to have spurred the Earl to make his peace with the Regent. By the terms of the Pacification he was restored to his lands and dignities, 'and Mackintosh had the chagrin of feeling not only that he had missed, as it were by a hair's-breadth, a possession that would have placed him territorially on a level with Huntly himself . . . but that he had made a mortal enemy of the most powerful, and perhaps the most unscrupulous, man in the north.' (A. M. Mackintosh, *The Mackintoshes and Clan Chattan*, 155-156.)

¹ James Stewart, son of John Stewart. The sale of the lands to the Governor was effected in 1549 (*Treasurer's Accounts*, ix. 324), where the text should read *fra* the Sheref of Bute, instead of *for*.

utheris not in the commoun cause or throw occasioun of the publict troubles, quhair the partyis contententis the tyme of the deid wer directlie on contrair sydes and professit divers authorities.'

The concluding paragraph, also, contains variations from the settlement finally reached in the Pacification (*P.C.*, ii. 195):

'Item, ye sall accord that as for the fruitis or movable guidis quhilkis the saidis personis or ony of them hes takin fra ony utheris personis or dampnages or skaithis done or committit be thame sen oure coronatioun throw the said commoun cause or ony thing depending therupoun, before the according to the abstinence upoun the penult day of July last bipast, that thai caussis salbe committit to the arbitrament of the personis following, quhilkis salhave power to decide compone and aggre all sic particulair differences, not efter the forme of proceeding of the lordis of sessioun shereffis or utheris ordinar jugeis be geving of the avale and quantitie to the aith of the complenar, bot be summar cognitioun in reasounable and tollerable maner to be modifit or diminishit be the saidis jugeis and arbitratouris, conforme to equitie and conscience and according to the simple avale of every mannis awin intromissioun. That is to say, for all attemptatis committit be north the watter of Tay, that Johnne erll of Montrose Lord Grahame, Johnne Lord Glammis, John Erskin of Dwn, Sir Johnne Wyshert of Pettarro knyght, Alexander Irwing of Drum and Maister James Haliburtoun provest of Dundie be jugeis and arbitratouris, or ony thre of thame, and thay to sitt within the burgh of Dundie; and for all attemptatis committit be sowthe the said watter of Tay, that Robert Lord Boyd, Mark commendatare of Newbottle,¹ Sir Johnne Ballenden of Auchnoule knyght Justice clerk, Johnne Colquhoun of Luss, Williame Cunnyngname of Caprintoun and Williame Douglas of Quhittinghame be jugeis and arbitratouris, or ony thre of thame, and thay to sitt within our burgh of Edinburgh, and na utheris jugeis to be sufferit

¹ Mark Ker, brother of Walter Ker of Cesford. He was one of the commissioners actually appointed under the Pacification.

to proceed heiranent, providing that all partyis skaithit intent thair actionis within yeir and day, and incais of thair deceis or refuse to accept the charge that utheris indifferent personis salbe placeit in ther roumes.'

JAMES REGENT.

Draft, autograph signature, 7½ pp. Vol. A, 156.

LXXV

23 February 1572-3.

'The Articles of the Pacificatioun maid and aggreit at Perth the xxiiij day of Februar 1^{mo} v^lxxij.'

This is the Pacification which resulted from the Instructions given in the preceding document. Printed in *P.C.*, ii. 193, 199; concluding 'and ane Act of Parliament to pas heirupoun.' The Warrender copy has some slight textual differences; one clause appears to give a better rendering:

'Item all sik civile processis past during the troublis sen the said xv day of Junij 1567 quhairwith the saidis personis or ony of thame findis thame selfis grevit or injureit salbe renewit be the jugeis ordinaris,' etc. (*Cf. P.C.*, ii. 198.)

Partial copy, 6 pp. Vol. B, 306 v.

LXXVI

[? c. April 1573.]

Demandes of the castell and discours thairanent. The particulair desire of the personis being in the castell, brocht out be the erll of Rothes, 1573.¹

Item, that the said act of Parliament to be maid, be decernit to be of full vigour force and strenth for to abrogat and annull quhatsumever act ordinance constitutioun sentence decreet or uther thing heirtofore past to the contrary thair of, and that it be amply interprete and extendit to the favouris of the foirnamit personis and for

¹ In the first week of April, Rothes was twice sent to the Castle as the agent of the government. He may have 'brocht out' these 'demandes' as the result of his first parley. (*C.S.P.*, iv. nos. 607, 608.)

ther sufficient assurance and preservatioun of thair lyffis landis honouris etc. fra quhatsumever danger or calumny that may ony wayis tend to thair hurt dampnage or deterioratioun.

Item, that the saidis personis and everie of thame that for quhatsumever cause or occasioun or upoun quhatsumever culoure or pretence hes bene removed debarrit or dispossesst, sall presentlie reallie and effectually be reponit and restorit to thair houssis landis heretageis benefices pensionis honouris offices teindis roumes and possessions and sufferit without lett trouble or impediment to possesse and enjoy the same as frelie in all behalffis as thai did ony tyme heirtofore, and as gif the occasionis past had never occurrit. And all sic personis as hes dispossesst thame or maid thame impediment in the brouking and joising of thair levingis foirsaidis sall presentlie desist reallie and with effect frome all further lifting intrometting or disposing with the males fermes teindis proffectis dewiteis rentis revenewis proffectis or emolumentis of the saidis landis heretageis benefices pensionis honouris offices rowmes and possessionis, and from all occupying and manuring of the landis without ony warning or proces to be usit thairin, and suffer the saidis personis and everie of thame frelie to enter thairto and intromet thairwith at thair plesour without stop or impediment as said is.

Item, quhair as in the yeir of God 156 yeiris¹ therle of Sussix then lieutenant to the Quene of England with hir forces dispossesst the said Alexander Lord Home of the houssis of Home and Falscastell, quhilkis presentlie ar in the handis of hir officeris, be occasioun quhair of he hes bene troublet in the bruiking of diverse his landes rowmes and possessionis, and utheris personis hes intrusit thame selfis thairin, as alsua about the same tyme the Merschell of Bervik² at the speciall command of the said erle of Sussix lieutenant chargeit the officiaris and uther intromettouris of the fructis of Coldinghame pertening to the said Johnne

¹ Home Castle was surrendered to Sussex in April 1570. See p. 102, n. 1.

² Sir William Drury. Hostages were delivered to him at Coldingham on 11 May 1570. (*C.S.P.*, iii. no. 233.)

commendatar¹ thairof that thay sould not fra thyne furth ansuer him of the same, quherthrow he wes than dispossessit of his said benefice and sensyne utheris intrusit in the possessioun thairof, it may now pleis presentlie the said quene of England to restore reallie and with effect the saidis houssis of Home and Falscastell, and to se the saidis Alexander Lord Home and Johnne commendatаре of Coldinghame restorit to their haill levingis rowmes and possessionis, and to mantane thame in the bruiking thareof.

Item, a licence salbe grantit to to depart out of the realme and to remane furth of the same at thair plesour. The said licence to indure for the space of sevin yeiris nixt efter the dait heirof, and to be extendit in the maist ample forme, and in the same specialie providit that thair absence sall not prejudice thame in the bruiking of thair honouris and offices etc. And siclike during thair remaning furth of the realme, thay sall not be persewit for ony actioun criminallie or civilie etc. This article to be amply extendit.

Item, that the haill personis foirsaidis sall indifferentlie be receavit and intertenit as the remanent frie liegis over all the partis of this realme, and that na thing done or occurrit during the troublis in the said commoun caus, or ony thing depending thairon, be laid to thair charge or counted as deidlie feid in judgement or without, nor be ony exceptioun aganis judge partie assysour or utherwyis.

Item, that the airis and successouris of the personis forfeitit propirlye comprehendit under this accord and now departed this lyff, and namelie Johne Fleming, sone and apparent air to umquhile Johnne Lord Fleming,² Spens apparent air to umquhile David Spens of Wormistoun,³ salbe restorit rehabilitat and maid lauchfull to enter be brevis to thair landes and possessiones, and to exerce all lefull deidis in judgement or outwith, notwithstanding the foirfaltouris led aganis thair faderis or predecessouris, and

¹ John Maitland.

² Forfeited 18 November 1569; died 6 September 1572. (*A.P.*, iii. 49, 55; *Scots Peerage*, viii. 544.)

³ Forfeited in August 1571.

as thay had deit at the faith and peax of the king; and heirupoun ane act of parliament to be past.

Item, quhairas the Quenis jowellis being within the castell of Edinburgh hes bene intromettit with be the said lard of Grange at the speciall command of the quene hir self during the troublis foirsaidis, and the haill disponit upoun at hir commandiment plesour and allowance for maintenance of hir caus and utherwyis as plesit hir to direct, thairfore the said lard of Grange sall not be countable thairfore nor chargeit in ony sort to mak rekning or deliverance of the same or ony part thairof to ony persoun bot onelie to hir self, to quhome onlie he salbe answerable; and that the act to be past heirupoun sall serve him for a sufficient discharge and exoneratioun thairof at all utheris handis.

Item, the lard of Grange sall deliver and consing the castell of Edinburgh with the haill artaillery and munitionis of weir pertening thairto, and the quenis haill abilzeamentis and mobillis presentlie being within the same, in the handis of Andro erle of Rothes to be kept be him as capetane in tyme cuming,¹ quhilk castell with artaillery etc. foirsaid sall remane in his handis to the kingis utilitie and proffett during his minoritie, and ay and quhill he be sextene yeris of age compleit; and that during the said tyme he sall not be subject to receave within the said place ony persoun of quhatsumevir estate or degree he be of, or upoun quhatsumever coloure accompanyit with ma personis nor then the nowmer of tuelf personis and that without armes, nor yit ma personis besydis his awin servandis then the nowmer of tuelf at a tyme, and the quenis saidis abilliammentis and mobillis sall remane haill together unsparpillit unusit or disponit upoun ony way during hir lyftyme; and he to be ansuerable thairfore.

Item, that samony of the saidis personis as ar specialie namit to have the licence foirsaid, salang as thai remane within the realme and ar not departit according to thair

¹ Sir James Melville writes that Grange offered the castle 'to the Erle of Rothes, to be instantly deliuerit into his handis, to be kept to the Regentis behoue, quhilk wes refused.' (*Memoirs*, 253.)

licence, salbe exemit fra all raidis proclamationis comparances upoun assyissis or uther chargeis ordinar or extraordinar quhatsumever, and to have a speciall exemptioun gif thai require it in writt to that effect extendit in the maist ample forme. And to the effect that the haill thingis befor mentionit may faythfullie and *bona fide* be performit and observit in all poyntis without contraditioun, and but fraude or gile, all cavillatioun coloure or excuse that may be pretendit or alleget to the contrair alluterlie secludit and awayput, the said Andro erle of Rothes

sall obliss thame selfis conjunctlie and severalie as cautioneris and souirteis and as principall debtouris for fulfilling of every point claus and article foirsaid, and under the pane of perjury and infamy.

Copy, 2½ pp. Vol. A, 467.

LXXVII

[*Demands of Grange*]

[c. April 1573.]

Item, for the releif of the greit debt quhilk the said laird of Grange hes contractit during the troublis foirsaidis in the furthsetting of the commoun caus, for intertening of men of weir, fortificatioun of the castell and uther necessarie chargeis quhilkis it behovit him to beir, he mon have presentlie deliverit to him in nowmerit money the soume of tuentie thousand pundis quhairwith he may satisfie sumpart of his creditouris.

Item, he mon have for his suirtie to remane in during the kingis minoritie, in respect that he dispossessis him self of the castell of Edinburgh, the castell of Blackness with a sufficient yeirlie interteniment for keping thairof and with sum munitioun.

Item, he mon have libertie grantit to him alsweill by England as Scotland to send sum speciall freind of his to the Quene, quha sall have the commoditie and libertie to speik with hir at his plesour in quiet maner and without the hering or comptrolling of ony man, and bring ansuer fra hir, quhairby he may be honorablie dischargeit of sic

thingis as hes past betuix the Quene and him in tymes bypast.

Item, na persoun within this realme sall beir feid grudge or inimytie aganis the laird of Grange, his particular freindis and servandis, or pretend ony querrell aganis thame for quhatsumever thingis hes intervenit or may be alleget done or committit be ony of tname directlie or indirectlie during the tyme of thir troublis, and samony as he his freindis or servandis foirsaidis sall specialie name sall gif particular discharge thairof and lettre of slanis and renunciatioun of all actioun etc. in the law or by the law as he sall require. Attour that it will pleis my lord of Mortoun to resave under his speciall protectioun and favour the said lard of Grange and his haill freindis and mantene thame in particular in all thair honest caussis.

Item, my lord of Mortoun for him and his airis sall renunce all title and interest he may pretend to the superioritie of the Grange and Tyrie quhatsumever in the maist ample forme men of law can devise, and sall restore him to the possessioun of the Wodfeild quhilk hes bene a native rowme to him and his predecessouris for sic payment yeirlie and sic takkis as thai war wont to have.

Item, the lord Glammis sall renunce and discharge in the maist ample forme as men of law can devyse all tytill interest or clame quhilk in ony sort he may pretend to the barony of Kinghorne or ony part thairof, and sall mak him assignay to the redemptioun of Norther Pettady and Bawbardy and deliver him the reversioun thairof.

Item, he and his freindis mon be releavit of the actioun quhilk the lard of Balfour hes intendit for the spuilzie of the castell of Sanctandros, quherby thai may be frie and cumberless thairof for ever.

Item, that my lord of Mortoun will obtene frome the abbot of Dunfermling laird of Dury and utheris having interest a full richt and title of the landis of the Eist Quarter to Robert Melvile of Murdocarny, quhilk is his kyndlie rowme, and quhairof he wes in peciable possessioun ay and quhill he wes dispossessit be thir present troublis.

Copy, 1 p. Vol. A, 469.

LXXVIII

28 May 1573.

'At Halyruidhous the xxviii day of May the yeir of God
1^m v^c lxxiiij yeiris.'

Conditions stipulated for the surrender of Edinburgh Castle, on its being recovered by the forces of the Queen of England. Lord Home, Grange, Lethington, the Prior of Coldingham and others specified, are to be excepted from the general pardon.

The conditions are calendared in *C.S.P.*, iv. no. 665. The Warrender copy does not state that the soldiers may carry away their personal baggage; and concludes 'that they of the castell gif declaratioun of ther acceptatioun or refuse of the premissis to the Regentis grace this nycht.'

Copy, fragmentary, $\frac{2}{3}$ p. Vol. B, 297^v.

Nos. LXXIX-CXXXV: INTRODUCTORY

THE following sixty-two documents cover the period from the cabals against Regent Morton to the conclusion of the league with England in 1586. During these ten years the hand was frequently changed at the helm, and the political barque steered a wavering course, now by the Protestant chart of England, now by the Catholic chart of Valois, Guise, and Hapsburg, until in the end the compass was steadied by the pole-star of 'the great and present necessity' of amity 'betuix the crownis of Scotland and England being nerest to utheris baith be blude and habitatioun, of a lyke professioun of religioun, alyke subject to the malice and hatrent of the ennemeis therof.' It was the jeopardy of the national independence that drove the 'nobilitie and estatis' of Scotland to repose 'upoun the singuler discretioun wisdomes circumspec[tioun] and zeles borne be the maist noble and potent prince King James the sext our soverane Lord,' and therefore to invest him with plenary power of appointing commissioners to contract 'the said christiane league betuix his hienes and his dearest sister the quene of England' (No. CXVI).

It is significant that the conclusion of this league with England—a notable landmark in Scottish history—was primarily the work of the King himself. The period of his tutelage was over. The prodigious pupil of George Buchanan, the 'young king in quhome mony (besides Sir Philip Sidney) have layd thair hoipes,' and prayed God to prosper (No. LXXXVII), was growing up to be the subtle and adroit shaper of his own destinies, one whose eyes were

steadfastly fixed upon the dazzling prize of the crown of England.

The aim of all his statecraft was that 'her majestie shall sa sone as convenientlye she may assemble the estates and Parliament of England and in the same declare the sayd king heyr apparent and immediat lawfull successour of the crown of England and Ireland' (No. CXXII). He had inherited the driving ambition of his murdered father and his captive mother; in the heart alike of parent and child there was bound to be a warring between personal ambition and the natural affections.

Fate had sundered them in earliest days and forced them ever farther apart along their several paths. The ten years under review were crucial years in this respect. All through this period foreign affairs continued to play a large part in moulding the destinies of both mother and son. Mary was driven more and more to identify herself with the cause of the Counter-Reformation, and to buoy her desperate hopes upon the support of Spain. How far she had lost touch with realities is clearly to be read in her pathetic letter to Paget in May 1586 (No. CXXXIV). Only a prisoner in the last extremities and 'entirely without intelligence of foreign affairs' would have planned such wild schemes for the kidnapping and conversion of her son, for the intimidation of Scotland by Spanish arms and a puppet ruler: all this to be done without mentioning the Queen's name 'untill thextremitye,' and in profound secrecy from English, French, and Scots. The passing of every year since 1570 had strengthened the initial advantage of the King's government in being the legally constituted authority; and James as a personal monarch was harder to unseat than the Regents who had ruled in his name.

Scottish domestic history, however, continued to be subject to kaleidoscopic vicissitudes. In these ten years we can trace the eclipse, the reascendancy and final down-

fall of the Earl of Morton; Scottish complaints of piracy and consequent 'compensation for spoils and depredations perpetrated by English subjects' (No. LXXXIV); the proscription of the Hamiltons; the meteoric career of Arran; the diplomatic revolution of the Raid of Ruthven; the commission to levy men of war and the remanding of the order (Nos. XCIII, XCIV); the counter-revolution by which the King emancipated himself; the driving into banishment of his political taskmasters and some of their staunch adherents, 'minister[s] of the word of God in Scotland' (Nos. CXXIV-CXXVI); the perpetual Border question; the return of the exiled Lords as the agents of Elizabeth in the cause of the Christian League; the negotiations of her envoys, the 'familier offices of [Leicester's] frendshipp' (No. CXL); the correspondence of Secretaries, calumniated by 'malitiose bruietes' in their endeavours to compass the same great end (No. CXXXI).

The Warrender Papers throw many interesting new sidelights upon these events, and how they were watched by the vigilant eye of European potentates.

A wealth of meaning doubtless lies beneath Sir James Balfour's cryptic reference to the 'greit and wechtie' cause in which he had 'mydlitt' after his 'waik jugement,' but 'with frank and luving hert,' to advance the 'honour and quietnes' of the disgraced Morton, 'and the commoun peace of all men within the realme' (No. LXXXI).

More straightforward is the commission granted by James in 1581 to Sir John Seton, appointing him ambassador with full power to negotiate for 'the mair sure and better continuance and conservatioun of the gude amitie and peax betuix' Scotland and England (No. LXXXIX). The commission was never executed, because Elizabeth refused a passport to an envoy tainted as a partisan of Mary and her foreign patrons. No overtures from such an agent were then acceptable to the Queen of England. Its true

interest is in its revelation of James's statecraft: he, no less than his 'darrest suster,' was going to play with the European situation for his own profit. Elizabeth was unwilling to buy him by a guarantee of 'the securitye of the kinges titill and yearlye gratuitye' (No. CXXXIII). She preferred to work by intrigue and diplomacy, and in this game James could pay her back in her own coin.

If the Ruthven Raiders, friends of England, snatched him out of the hands of the partisans of France, the Duke of Guise and Catherine de Medicis sent him encouraging letters by envoys who, they hoped, would reinstate him 'in the position in which he ought to be' (No. XCVI). It was, however, by his own efforts that James threw off the hated yoke of the Gowrie administration; but the continued correspondence with France (Nos. CI, CII, CV) and the coming of Mowbray, Seton, and the Jesuit Fathers kept Elizabeth and her counsellors in a state of apprehension. Nevertheless they knew as well as did de Maineville—and profited from the fact—that 'the French, no less than the Scottish government, is hampered by difficulties' (No. CIV). James was also aware of this. He was not unwilling to play with fire, but he had no wish to burn his fingers. It was with clear vision that he assured the Prince of Orange that he meant to cultivate a 'good understanding with the Queen of England' as the safest bulwark for the future as it had been in the past against the designs 'of the Pope and his adherents' (No. XCIX).

In such circumstances there was little food for Mary's revived hopes of being restored in 1585 in association with her son and in goodwill with the Queen of England and the King and Queen-Mother of France (No. CVII). Even had her confidence in the Master of Gray not been misplaced, the 'amitie happely begon' in his embassy could not have proceeded to the welfare of the Queen of Scots after 'the bruit of the late commotion in France is dispersed wherby . . .

it is evident these armes ar be complot directed against the protestantes, and . . . the subversioun of the religioun is intended' (No. CX). Secretary Maitland was right in his prophecy that a common danger would drive Elizabeth and James together—that, paramount above all other considerations, was 'specialle religion wheron both their crownis ar settled and in the subversioun wherof nather of their majesteis or their estates may possibly consist' (No. CX).

How far Elizabeth's position was identified with the Protestant cause can be surmised from the 'letter send from the Cardenoll de Como to Doctor Parrie that should hef slane the Quene of England,' and from her own protestation to the estates of Parliament that she knew 'no creature that breatheth whose lyfe standeth howrlie in moe perrell for [religion] then myne owen' (Nos. CVI, CVIII). The independent sovereignty of James was no less endangered than that of Elizabeth or of Henry of Navarre, who both sent their emissaries to negotiate a counter-league and union in the Protestant states of Germany (Nos. CXIII, CXIV).

Statesmen on both sides of Tweed were keenly conscious that, in view of 'the mallice of this present time . . . it will behove us that are inwarde ministers about our princes . . . to carry a watchefull eye for the prevention of such wicked practises as are nowe . . . tending to worcke a breche and divorce between the two nations' (No. CXIV). Walsingham and Leicester in England, James and Maitland in Scotland, are found to be the most active promoters of the league, but the Papers are an interesting commentary upon Randolph's remarks to the King, that the issue 'hathe long changed in suspens thorowe the practizes of suche as nether love your Majestie nor her, so ther muste be some tyme geven with patiens and cuninge to overthrowe their contrivede mischeife agaynste you bothe' (No. CXXXV).

Its consummation finally in July 1586 was a personal triumph for James, and an important step towards the happy union of 'this myerocosme be nature and ane uther element devyded frome the continent' (No. CX). If it was cause for rejoicing to the patriotic heart of Maitland, it was no less a death knell to the forlorn hopes of Mary, that the sister kingdoms, strong in the union of a Protestant League, 'neid not to dispair quhatsoever foreyn potentates do practese or promitt to them selves.'

Mother and son had alike set their eyes upon the crown of Elizabeth. Mary was discredited because she sought to obtain the prize at the hands of the Catholic King and by the subversion of English liberty: James saw the prize within reasonable reach, because his cause was become identified with the maintenance of Protestantism, 'the fondamentall suirtye wherupon boyth their crounes ar setteled' (No. CXIX).

LXXIX

Montrose and others to the Earl of Argyle

19 June 1576.

My Lord, eftir our maist hartlie commendationis, we being convenit to onderstand the truth of thir trubillis laitle fallin out betuix your lordship and my Lord of Atholl,¹ quhilk for our partis we hertlie viss to be removit, and understandand sum slauchter to be maid as also horrible fyre to be rasit upoun sum of my Lord of Athollis servandis be certeine brokin men that menis to have ther leifing be intertenying discord betuix your lordships that ar nobill men, quhilkis crymes in respect of the rowmis and dignitie your lordships beris we can nocht weill be persuadit your lordship will ayther allow of defend nor tak protection of the malefactouris in wickid deidis. Always we, being tendir in frendship baith be affinite and consanguenety alsveill to your lordship as my Lord of Atholl, being na less cairfull of your lordshipis honour and weill nor his, and having consideratioun quhat gret trubill and inconvenience this variance is able to bring on to the displeasour of God, dishonour of the prince and vraik of the puire peopill quhilk vil nocht fail to craiff Goddis vengeance gif tymous remeid be nocht put therto, tocht meit that na farder trouble nor invasioun suld be betuix your lordships that ar sa tendir of bluid for causis that ar nocht past remeid bot may yit in dew tyme be componit to baith your

¹ The firebrand that kindled the 'trubillis' was 'one Allaster Dow Macallan, a notorious thief.' (Spottiswoode, *History*, ii. 205; *H.J.S.*, 158-160; *P.C.*, ii. *ad indices*.) 'In the autumn of 1575 Killigrew (English agent in Scotland) had detected the growth of a faction against Morton, in which the two principal figures were the powerful northern Earls of Atholl and Argyll. For a time these two were prevented from co-operation by a private quarrel which took the form of armed incursions upon each other's countries. There is some reason to believe that Morton himself fomented this quarrel for his own purposes.' (C. Read, *Mr. Secretary Walsingham*, ii. 142.)

lordshipis honouris be your vys frendis, and hes tane the bauldnes as indifferent frendis equal effectiounat to baith your lordships to interpone our selfis to tak up thir materis to ane day, forbering in the mentyme to declair our selfis till we se quhilk of yow refuse ressoune that frendis within that tyme may meit to tak ordour heirintill, and that in the mentyme thair suld be cessatioun fra armis and all hostilitie to Michealmes and assurance to be gevin and taikin on ayther syd. Quharintill we have alreddy entrit with my Lord of Atholl becaus he is ewisest,¹ quha upoun our procurament and request hes aggreit therto, quhilk also we earnestlie desyre to be aggreit to be your lordship, and that ye vill gif assurance eftir the tennour of the uther, quhilk we have send subscrivrit with the berar to be delyverit to your lordship incas he resave the uther, and that within the said tyme your lordship will appoint ane day and place as your lordships laser may best serve, quhair frendis may meit to commoun on all debaitis and questionis betuix your lordshipis and put the same to rest and therwithall to reteir your lordships foris and tak haistie ordour as is possible that na farther skaith nor inconvenient be done as may impeid so gude a vark as is the concord betuix your lordshipis, quharupoun the lyfis and herschippis of mony pouer people standis in harsart [*sic*] gif it succeid nocht weill: Quhilk, upoun knowleg of your lordshipis gude mynd and consentment heirto, my Lord Athoill sall also perform for his part with deligence and hes promest unto the returnn of your lordshipis answer that he sall mak na persute bot onlie keip his auin cuntrie fra skaith unless he be provoikit to the conterie be invasioun of your lordshipis forces quhilk we wald be sorie suld² to the hyndir of baith your quyetnes. Quhairanent we have declairit our myndis at mair lynth to the gentilmen bererris heirof to be schauin your lordship, to quhome it will pleis your lordship gif credit, and sua ceissing to trubill your lordship with langer lettir, committis your lordship to the

¹ ewisest = nearest.

² Page torn.

protectioun of the Eternall. Fra Dunkell, the xix day of Junij 1576.¹

Your lordshipis lowing frendis at pouer

MONTROIS

PATRICK LORD GRAY

RUTHEIN

HEW LORD FRESER OF LOVET

TULLIBERD [*sic*] comptrollar.

[*Endorsed*] Ane copy. To the bishcop off Breiching.

Copy, 1 p. Vol. A, 141.

LXXX

[c. March] 1577-8.

Notes appointit to be spokin befor the upgeving of the regement of the Erle of Morton, all writtin with his owen hand.

Memor

Item. I may clame the keping of the castell² laufully.

Fyrst. I am of his Henes blude.

Nixt. I am responsall and able to keip it.

Thirdly. I racouerit it furth of the enemeis handis.

Fourtly. I hawe bilt within it for x^m pundis.

Fiftly. I hawe his Majesteis jowalis and mowblis within it worth. . . .

Saxtly. I hawe mowntit all his ordynans new.

Sevintly. Quhen his Henes pleses to hawe it, lat ane gentilman unsuspek that hes sarwit trewly be plasit into it.

For counsall and adwyse

Gar Argyle and Atholl put the Kingis rent in the Ilis and Heland to als gude profit as thay war the tyme quhen King James the V. departit.

Gar the Lord Maxwell gyf in the namis of all the landis

¹ On 23 June the Privy Council charged Argyle and Atholl to keep the peace. (*P.C.*, ii. 533.)

² 'On the 15th of March Lord Glamis and Lord Maxwell were sent to Morton to crave that the Castle of Edinburgh, the Palace of Holyrood House, the coin-house and the jewels therein, should be delivered. He surrendered the bare walls of the palace and the coin-house, with the printing-irons, upon the 16th of March, but . . . the castle was held against the town of Edinburgh till Tuesday the 1st of April.' (*Illustrations*, p. 7; Calderwood, iii. 395-396.)

within the Vest Wardary, and the namis of the possessions quhairon tennentis duellis that hes no knawn masteris.

Gar writ to all thame that hes plegis in keping to gar keip thame swre.

Gar direk away offisaris incontynent to tak ordour with the bordouris bathe for Ingland and Scotland.

To adwise quhat ordour salbe tane for keping of the Conuensioun aponet to be kept the xx of Marche instant.

To gar tak ordour with the sessioun, schireffis, and all vther juges that thay set fordwartis justice.

I desir that his Majeste credite na evill report that may be maid on me during my absence, quhill it be his Hienes plesure to call me to my awin ansuer.

I hawe saruit the King lang, for I begowth befor his byrth.

I suoir his ath of coronation, quharof I desyre to be relevit.

I hawe interteneit amyty with Ingland to his gret weyll gif the course begun be weyll interteneid.

God hes blist his grace, his cuntre, and me during the tyme that I hawe borne his charge.

Printed in Warrender's *Illustrations of Scottish History*, pp. 7, 8.

LXXXI

Sir James Balfour¹ to Morton

2 May 1578.

TO THE RICHT NOBILL AND HIS SPECIALE GUD LORD, MY LORD
THERLL OF MORTOUN.

It will pleis your lordship undirstand that immediatlie eftir the ressait of your lordshipis last letter I directit ane servand to Stirling with writingis to the gentill man quhom your lordship knawis, schewand that nochtwithstanding any alteratioun in the castell of Stirling² your lordship wes

¹ Sir James Balfour of Pittendreich, commendator of Pittenweem, an eminent lawyer, whose devious career can be traced in the *Dictionary of National Biography*. He arranged the Pacification of Perth.

² The *coup d'état* by which Mar obtained the custody of the castle and the King on 26 April. (Calderwood, iii. 408.)

willing to proceed in the cours commonit upoun betuix your lordship and my lord of Athoill¹ and that uprichtlie, and thairfore desirit in lyk maner to have knawin his lordshipis meaning thairintill; and this day my said servand returnit to me the answer togidder with the copie of the band to be passit betuix your lordship and him (quhilk your lordship will pleis to ressave heir inclosit). Quhilk band he says is conforme in all pointtis till your lordshipis reasonabill meening, and that he for his awin part will with all sinceritie observe and keip the samin, nocht douttand bot gif your lordship be myndit on the uthir syde to proceed in sure freindschip, your lordship will be content to end the samin without any alteratioun in respect that thair is na thing contentit thairin bot that quhilk appertenis to the glorie of God, the preservatioun of the kingis hienes, the defence of the cuntree and intertenement of the quietnes thair of and mutuall freindschip betuix your lordshipis self, him and your houssis. Always I undirstand that thair wes sum uthir particular heidis commonit betuix the laird of Carmichell² and George Drummond quhilk wes nocht thocht neidfull to be insert in the said band, bot to be referrit to your lordshipis owin metingis, at quhilk tyme thais heidis and uthir thingis neidfull for baith your lordshipis weill may be sa orderit as baith your lordshipis may be satisfyt. Quhairfor gif your lordship be myndit to follow furth this former desinet, my judgement is that all thingis sall turne to your lordshipis greit weill and honour, and to the establishing of ane quietnes within this cuntree in this dangerous tyme of our soverains minoritie, for I perswade my self fulllelie that gif your lordshipis had anis spokin togidder and conferrit freindlie, all thingis suld tak gud success to your lordshipis full contentatioun. And seing this band is as it wer the first degree to bring all uthir

¹ In December 1578 Elizabeth was sorry to learn of 'some unkindness and disagreeing' between Atholl and Morton, and in January sought to mediate. (*C.S.P.*, v. nos. 283, 295.) Atholl had been made Chancellor on 29 March 1578, and opposed the reinstatement of Morton. (*Scots Peerage*, i. 444.)

² Sir John Carmichael, laird of Carmichael, enjoyed the favour of Morton. (*C.S.P.*, v. no. 172.)

thingis to ane gud pas, I dout nocht bot your lordship will wey and consider thairof, according to your lordshipis accustomat wisdom, for it apperis to me that my lord of Athoill thinkis that thair is na substantiall point thairinto to be eikit or pairit (quhair of I thocht gud to foirwarne your lordship), bot the samin to be schortlie and quiklie endit betuix your lordshipis. His lordship desiris forder that your lordship tak nocht in ewill part that the kingis grace wraitt nocht for your lordship at this tyme to cum to Stirling, bot that your lordship sall cum at sic tyme to your lordshipis honour and to baith your lordshipis weillis, as your lordship salhave experience heireftir. As to fordir knowlege of specialiteis concerning the man that movit the aggreance betuix the twa erlis by your lordshipis advis, your lordship will be fullelie resolvit thairof in all thingis as your lordship desiris, this mater being endit betuix your lordship and my lord of Athoill. I wald have bene werra glaid to have conferrit with your lordship my self, gif your lordship had bene in sic rowm quhair I mycht have had access to your lordshipis presence, bot seing that the samin can nocht gudlie be done, I man refer to your lordshipis better opportunitie. For, trewlie, war nocht my perpetuall bund dewitie of service to your lordship in particular, and als the gud weill that I beir to the commoun quietnes of this my native cuntree, I wald have bene laith till have takin upoun me to haif mydlitt with sa greit and wechtie ane caus owthir be message or writingis. Always I protest before God and man that all my meaning in this causs is simple trew and upricht, tending eftir my waik judgement to your lordshipis honour and quietnes (specialie in respect as thingis hes heirtfoir procedit) and the commoun peace of all men within the realme. And so fer as I know I have faithfully now and at all tymes schawin the samin to your lordship with frank and luvig hert, lyk as I sall heireftir at all occasionis that may occur. This lukand for your lordshipis spedie answer as your lordshipis commoditie may serve, and my service being maist humblie recommendit, I pray the eternal God to assist your lordship with his holy spreitt in gud deliberatioun of all your lordshipis wechtie effairis to

his glorie and your lordshipis gud and lang prosperitie. From Pittinweme, the secund of Maii 1578.

Your lordshipis maist lowing and obedient servitour,
Sir J. BALFOUR.

Original, holograph, traces of seal, 1½ pp. Vol. A, 152.

LXXXII

[*Morton to Sir James Balfour*]

5 May 1578.

My lord, efter my herty commendatioun, I ressavit your lordshipis letter with the copie of the band. I persave they mene the same suld be past without alteratioun, and that in respect the same tendis to the glorie of God, preservatioun of the king, defence of the cuntrie and mutuall freindschip betuix oure selffis. Gif the band contenit na uther headis bot this, I culd have bene soonne at a poynt. Bot thair is sic heades in the band as I can not without gude advisement se throw, and thairfore mon tak tyme to advise with the same.

Quhair ye write that ye understand thair wes sum uther particulair heades commonit betuix the lard of Carmychaell and George Drummond, quhilkis wes thocht meit tobe referrit to oure awin metingis: quhen that beis, my guidwill and freindschip salbe knawin, as I will louke for the like.

Your lordship writtis that I sall not tak it in evill part, that the king wrait not for me to cum to Striveling, bot that I sall cum at ane uther tyme heirefter to my honour and weill. It appeares, gif my Lord had bene willing to have endit maters with me, he wald not have refusit my cuming to Striveling at this tyme. I will abyde and await quhill tyme serve. His dealing appeares tobe mair hard nor ressonne wald in the begynning of freindschip.

As to the man that moved the aggreance of freindschip betuix the twa erlis: howevir this mater aggre, I mon louke to have the certanty thairof at your hand, for in oppyning the same ye will do me great pleasour.

Quhairas ye ar desirous to have conferrit with me: I am

naless willing to meit with yow, and at your next west-cuming will do guidwill to speik yow, or utherwyse sall appoint a tyme and place quhair we sall meit. I knaw your guidwill and your honest dealing in this mater and all uther my effaris, quhilk sall not be unacquite with guidwill and pleasour and that to your ease and weill. Sa, resting for the present, com[mitis] your lordship to God. At Lochleven, the fyft day of May 1578.

Your lordshipis gude freind.

Copy, unsigned and unaddressed, 1 p. Vol. A, 154.

LXXXIII

[1] August 1578.

'The proclamatioun maid be the erllis of Ergile, Athoill, Montrois and remanent lordis thair adherentis eftir the inordinat outputting of Alexander Master of Mar fra the custodie of the Kingis Majestie and keping of his castell of Striviling.'

That on 10th March ¹ last it pleased the King to convene the most part of the nobility and estates to take measures for the reformation of the 'enormiteis and extorsiones' of Morton's regency, whereby the kingdom was threatened with ruin; and to assume the government personally so as 'to restablishe ane perfyte lufe unioun and concord.' That he did this upon Morton's voluntary demission of office, and on condition that during his minority he might have the guidance 'of ane ordinaire counsale of his nobilitie.' That the Council, having been lawfully constituted, was ordained to sit at Edinburgh, and did remain there administering the affairs of state until Morton 'be his apostat and subornit instrumentis surprisit in plane hostilitie the Kingis house and persone and injuriouslie displaceit his kepare' and dismissed his family and others of the King's servants 'all undir the pretendit heritable title of the young and innocent erll of Mar.'² That, on hearing this news, the Council

¹ Calderwood gives the date, correctly, as 12 March. Cf. *A.P.*, iii. 115.

² The Earl of Mar was the nephew of Alexander, Master of Mar, whom he displaced on the ground of his heritable right.

hastened to Stirling, and to avoid further disturbance allowed Mar to keep the administration of the King's house. That, however, Morton's agents are persistently blind to the 'detestable and unhappy counsale of thair grite oracle,' who would drive them to their own destruction, yet would pretend himself innocent and by his absence 'excusable of thair seditious interprise, giff the progres of his actiones sen syne did nocht preve him to be the verrie patrone and devisare' thereof. That Morton, since his entrance into the King's house, has so controlled all things and dominated the King that his Majesty's loyal subjects have no freedom of access to him. That he has transferred parliament from Edinburgh to Stirling ¹ against all law and in violation of the liberty and power of the three estates; has warded the Earl of Montrose and Lord Lindsay 'for thair lauchfull protestationes in thair emprosinat parliament'; and that now he has 'wageit an army at the Kingis cost and charge to mantene his usurpat auctoritie.' Wherefore we, the Lords of Privy Council and others of the nobility, have sworn to withstand the aggressions made by Morton under abuse of the King's name and to hazard life and fortune for the deliverance of His Majesty. We protest before God and man that it is with grief that we take up arms and that we most heartily desire that the evils of civil war may be averted; that our sole purpose is to restore the government into the hands of the King 'and to deliver the Kirk of God and commounweill' from tyranny and oppression; that we seek no personal ends nor 'ony malicious desire of revenge.' We therefore charge officers of arms 'to pass to the mercatt croces of the burrowis of Edinburgh Hadingtoun Coupar in Fyffe Perth Dundie Glasgow Striviling Irwing Air and all utheris heid burrowis within this realme, and thair be oppin proclamacioun' in the King's name summon all the lieges between sixty and sixteen years to muster in warlike guise with fifteen days' provision to accompany the said Council and nobility to Stirling on 10th August to obtain the de-

¹ In July. Calderwood gives an account of the proceedings of the two factions at this time. (iii. 408 ff.)

liverance of the King, under pain, should they refuse, of being reputed guilty of his Majesty's 'thraldome and detentioun.' August 1578.

Copy, 1½ pp. Vol. B, 273v.

Printed in Calderwood, iii. 429; inventoried in *T. and S.P.*, ii. no. 387, p. 233, under date [1] August.

LXXXIV

Commission of the Admiral of England

5 December 1578.

Edward Earl of Lincoln, Baron Clynton and Gray, Knight of the Garter, Great Admiral of England, Ireland and Wales, and of the dominions and isles of the same, and of the town of Calais and its marches, and Prefect General of the Fleet, Norman, Gascon and Aquitanian, and of the seas of the said realms of England and Ireland, to the Provost and bailies of the town of Aberdeen in Scotland: greeting.

Since David Lewes, doctor of laws, our lieutenant general, judge and president of Supreme Court of Admiralty of England, in a certain civil and maritime cause rightfully moved and legitimately proceeding before him at the instance of Master David Foullartoun, merchant of Edinburgh and commissary [*sic*] from James King of Scots to the Queen's Majesty to seek compensation for spoils and depredations perpetrated by English subjects in Scotland, sent on behalf of David Endeach John Broun of Prestoun Thomas Suthirland Robert Ramsay Bartholomew Neutoun Robert Lummisdale John Reagle¹ Peter Chamberis John Kennedy William Masone Andrew King James Spens William Ker John Turnour and other Scottish merchants, has at the desire of the said Master Fullertoun, who alleges that among you dwell many witnesses whose testimony is necessary for the verification of the things deduced in the present articles and schedule annexed, ordained that commission should be given to you for receiving and examining them upon oath, with

¹ Probably misreading for Reache.

power and authority as our proxies: We therefore having respect to your character and experience, appoint you as our proxies, together or severally, willing you to receive and admit on days assigned by you all and sundry the witnesses whom the said merchants or any of them will produce, or cause to be produced before you in your court, and to investigate the truth on oath according to law and justice, with powers of compulsitor, and then to examine witnesses as the case requires upon the articles and schedule annexed, and cause their depositions to be faithfully reduced in writing, employing some trustworthy notary public of your choice; and we ask that on the conclusion of the business you will transmit to us in abovesaid supreme court with all speed the depositions and the whole process, done in foresaid public form and in the Latin tongue by the said notary, closed and sealed with authentic seal and secret sign. Given at London, in abovesaid Supreme Court under our great seal, 5th day of December 1578, 21 Eliz.

Latin: copy, 1 p. Vol. B, 282.

LXXXV

2 May 1579.

'A proclamatioun maid for persute of Johnne Hammiltoun sumtyme commendatour of Arbroth and Claude sumtyme commendatour of Paislay as authouris of the murthure of umquhile the erllis of Lennox and Murray.¹

'James be the grace of God King of Scottis to our shereffis of Edinburgh principall and within the constabularie of Hadingtoun and thair deputis, the provest and baillies of our burrouis of Edinburgh Hadingtoun, and to our lovittis William Somirvile etc. messingeris, our shereffis in that parte conjunctlie and severalie specialie constitute, greting. Forsamekle as we considering our dewitie aucht to God in

¹ The Hamiltons had been included in the general pardon of the Pacification of Perth, but this did not exempt them from prosecution on the particular charges of the murders of the two regents. The Hamilton question at this time is treated in *P.C.*, iii. 116 n., 146-147 and n., 150 n.

doing of justice, and that the suretie of our persone estate and commoun weill of our realme cravis that the authouris of the maist cruell murthouris of umquhile our progenitouris and darrest freindis suld be punishit, as thair wicked and tressonable deservingis hes worthelie merited, seing the lawis of God and man sa allowis, and that our maist faithfull counsalouris weilwillaris hes thocht the same maist necessar to be done presentlie without dilay, for quhilk caus we have commandit the persones of Johnne Hammiltoun sumtyme commendatar of Abirbrothok and Claude Hammiltoun sumtyme commendator of Paislay, being cheiflie culpable of the cruell murthouris of umquhile our darrest gudesire and uncle the errlis of Lennox and Murray regentis of our realme of gude memorie, and standing declairit traitouris to ws therefore, to be apprehendit and pwnissit; to the executioun quherof and repressing of sik rebelloun as the saidis declairit traitouris hes heirtfoir raisit and mantenit within our realme, the concurrence of our faithfull and loving subjectis is requisite. Oure will is heirfore, and we charge you straitlie and commandis, that incontinent our letters sene ye pass to the mercatt croces of the heid burrowis of our sherefdomes of Edinburgh principall and within the constabularie of Hadingtoun Lynlithgow Striviling Kinross Clackmannane Lanerk Dunbartane Renfrew Air and uthiris places neidful¹ and there by open proclamation in our name summon all the lieges and other fencible persons between sixty and sixteen years under pain of forfeiture to hasten immediately in warlike guise to Hamilton, and from there, if need be, to proceed wherever they may be directed by messengers sent from us for the purpose; and likewise forbid the lieges to aid, reset or harbour the said traitors and rebels or their supporters, or to furnish provision for their houses, or to have any dealings with them directly or indirectly under pain of treason. Those who disobey shall be esteemed as open adherents of the said traitors and murderers and shall underlie a like process of forfeiture.¹

¹ This, the text of the proclamation, is printed in *P.C.*, iii. 150.

‘Gevin undir our signet at our counsale of Striviling the second day of May, and of our regne the tuelft yeir, 1579.

‘This proclamatioun wes proclamit at the mercatt croce of Edinburgh on Mononday the ferd of Maij foirsaid aboute sevin houris eftir none, and the provest and baillies desyring the copy could nocht gett it; and they feiring to remane at hame, ane grite part of the inhabitantis past fordward to Linlythgow and therfra send sum of ther nychtbouris to the kingis majestie to knaw his will and plesour. The castell of Hammiltoun wes enveronit the fyft day¹ of the said moneth, sum peces of artaillerie wes schot furth; and sua Hammiltoun and Draffen being stuffitt wes detenit, the detenaris schawing they wald nocht deliver to the erll of Mortoun nor his parttakeris ther inemyis, bot to sik as the kingis majestie plesit to appoint to ressave the same.’

Copy, 1½ pp. Vol. B, 273.

LXXXVI

James VI. to Elizabeth

4 October 1579.

Acknowledges her letters of 13 September, with tidings that unknown to her Lord Claud Hamilton had found refuge in England. Requests his extradition, and demonstrates that the prosecution of the Hamiltons for the murders of Regents Lennox and Moray is not an infringement of the Pacification of Perth.

Asks that steps may be taken for the better administration of justice in the East and Middle Marches. ‘Hali-ruidhous the fourt of October 1579 in the xiiijth yeir of our Regne.’

Copy, 1½ pp. Vol. B, 286.

Calendared, *C.S.P.*, v. no. 431, under date 5 October.

¹ On 4 May, Morton, Angus, and others besieged Hamilton Castle. On the 13th the houses of Hamilton and Draffen, ‘seeing the ordnance to approach,’ offered to treat. Hamilton was ‘rendered simply’ on the 19th, and Draffen was abandoned in the night. (*C.S.P.*, v. nos. 407, 408.)

LXXXVII

October 1579.

The copy of the letter send be Philip Sidney, sone to Sir Harie ane of the privie counsale of England, To Mr George Bucquhannane pedagog to the kingis Majestie.

Sir, althocht unknowne to yow, yit knowing your vertew and loving it, I have sent this beirare my servant unto yow, and to desire sik favour and freindship of yow as ye think may be bestowed upoun a young man that desyris to do weill. Gif my esteat did weill suffer it, I haif nocht bene without desire to see you, and kiss the hand of the young king, in quhome mony have layd thair hoipes. God prosper him and mak him to lerne be yow that gudeness is the greittest gritnes. So hairtlic wisheing yow sik lenth and end of lyffe as your awne weill groundit will desire [*sic*], my man can schaw unto yow alsmuch as I of the materis concerning Monsier and purpois of his mariage,¹ *hactenus hesitamus*. Thus committis yow to the protectioun of Almychtie God, frome the courte of England the day of October 1579.

Your loving freind,

PHILIP SYDNEY.

Copy, $\frac{2}{5}$ p. Vol. B, 302^v.

LXXXVIII

1566-1579.

'A relation of the affaires of Scotland, from the birth of King James in June 1566, to the banishment of the Hamiltones 1579.'

Copy, 95 $\frac{3}{4}$ pp. Vol. B, 166.

Printed in *The Historie of King James the Sext* (Bannatyne Club), pp. 1-175. The Warrender copy ends in the middle of a sentence: 'where he came to the toune of Paris and was courtesouslie . . .'

¹ 'The second Alençon courtship.' See Read, *Mr. Secretary Walsingham*, ii. chap. vii.

LXXXIX

5 April 1581.

Commissio Legati a Rege missi.

James be the grace of God King of Scottis, to all and sindrie quhom it efferis quhais knowlege thir present letters sall cum, greting. Forsamekle as we, considering the fidelitie and deligence of our weilbelovit and trusty servitour Sir Johnne S[eton]¹ g[rand] Master of our horse, hes maid and constitute and be the tennour heirof makis constitutis and ordanis him our ambassatour oratour commissioner and speciall messinger, gevand grantand and committand to him our full pouer commissioun express mandat and charge to convene with our darrest suster the Quene of England, hir counsalouris commissioneris deputis or utheris having hir autoritie pouer and commissioun at quhatsumevir dayis or places convenient, and to treit confer determinat and conclude upoun the componing and pacyfeing of all querrellis contraverseis greiffis mislykingis and uthiris caussis quhatsumevir, betuix ws oure dominionis and liegis and our said darrest suster and cousin hir realm dominiounis and liegis, for the mair sure and better continuance and conservatioun of the gude amitie and peax betuix ws oure realmes dominiounis and liegis, and thairupoun to indent treit and conclude for oure parte, the aith of swithfulnes in our saull to sweir, and generalie all and sindrie uther thingis necessar quhilk to the office of ambassatour is knawin to appertene and gif the same requirit mair speciall commissioun nor heirin is expressit, promitting faithfullie in the worde of ane king to hald ferme and stable all and quhatsumevir thingis the said Sir John oure ambassatour foirsaid in our name in the premissis ledis to be done. In witnessing heirof to this our commissioun, subscryvit with our hand, our greit seill is

¹ Only the initial given in the document. The embassy never took effect, because Elizabeth refused to grant a passport. Sir John Seton, 'far busier-headed and more factious than his father, and as much devoted to the Scottish Queen,' was suspected of having 'some practice in hand either with the French or Spanish ambassadors, or with both.' (*C.S.P.*, vi. no. 14; see also *ad indices*.)

heirto at our command to hungin.¹ At Halirudhous v Aprile 1581 and of our regnne the xiiij yeir.

Copy, $\frac{1}{2}$ p. Vol. B, 280v.

XC

2 June 1581.

'The summe of all that conference which passed betwixt the Earle of Morton, late Lord Regent of Scotland, on the one side: and some of the Brethren in the Ministerie, as Mr James Lawson, John Durie, Mr Walter Balkanquell, etc., on the other side: Containing a true and faithfull Relation of the chiefe things which they heard from his Lordships mouth, the very day that he suffered, which was the second day of June 1581.'

Copy, 13 $\frac{1}{2}$ pp. Vol. A, 162.

Printed in Calderwood, iii. 559-575; calendared, *C.S.P.*, vi. no. 26.

XCI

William of Nassau to James VI.

17 June 1582.

William of Nassau, Prince of Orange, takes the opportunity of the return of Colonel Stewart to write to the King of Scots. As Stewart has seen long and honourable service in the Low Countries, he is qualified to make a report on the state of affairs, and the establishment of the Duke of Alençon as King. For his own part, the writer thanks God for his safe recovery from the attempt upon his life. He feels in duty bound to take this, and every, opportunity to reveal the barbarous methods and treacheries of the King of Spain against enemies whom he cannot overcome in open fight. He commends his goodwill to the service of King James.

AU ROY D'ESCOSSE.

Sire, Jay este tresaise d'avoir si bonne occasion, allant Monsieur Stuart² en Escosse, de me ramentenir aux bonnes graces de Vostre Majeste, d'autant aussi que j'espere avoir cest honneur a son retour d'avoir nouvelles comment elle

¹ Not in the Register of the Great Seal.

² Sir William Stewart of Monkton, commonly known as Colonel Stewart, brother of James Stewart, Earl of Arran, the King's favourite. (*C.S.P.*, vi. nos. 512-513.) James sought 'to procure Colonel Stewart's licence to come into Scotland.' He was still abroad on 7 July, when he was reported to be 'in readiness to depart.' (*C.S.P.*, vi. no. 132.) Calderwood characterises him as 'a cloutter of old shoes.' (iv. 448.) His varied and not very honourable career can be traced in the records of the period.

se porte. Ledict Sieur Stuart pour avoir este long temps en service de pardeça, et avoir assisté en plusieurs places esquelles il s'est tousjours honorablement et vaillamment acquité de ses charges, a cognoissance particuliere de plusieurs affaires concernantz l'estat de ce pays et l'establisement de son Alteze.¹ S'il plaist a Vostre Majeste nous faire tant d'honneur que de le vouloir escouter, il la pourra informer bien particulierement. Mais puis qu'il a pleu a Dieu en mon particulier me faire sentir une grace si speciale en la guarison qu'il luy a pleu dernièrement m'envoyer apres une telle et si dangereuse blessure,² je n'estime pas que ce seroit mon devoir de le taire, ayant ceste commodité d'escire aux Rois et grandz Princes chrestiens tant pour les convier a luy en rendre graces, que pour leur représenter les façons barbares dont use a present le Roy d'Espaigne pour se desfaire de ceulx que, Dieu merci, il n'a sceu vaincre aultrement que par voyes du tout iniques; affin que vous, Sire, et tous princes qui n'ont aulcune alliance avecq ledict roy, cognoissent la grande grace que Dieu leur faict de n'avoir aulcune obligation a un tel prince, lequel se veult establir par des excès si enormes. Je m'estimerai, Sire, tresheureux si j'avois cest honneur de pouvoir estre employé a faire treshumble service a Vostre Majeste, ce que je feroi d'aussi bon coeur qu'apres luy avoir treshumblement baise les mains, je supplie Dieu, Sire, luy donner en tresparsaite santé tresheureuze et longue vie. D'Anvers ce xvij^e de Juing 1582.

³ De vostre Majeste treshumble serviteur

GUILLAUME DE NASSAU.³

French: original, trace of seal, 1 $\frac{1}{2}$ pp. Vol. B, 508.

Printed in Fraser's *Earls of Haddington*, ii. 6.

¹ Francis, Duke of Alençon, brother of the King of France, proposed at this time as a husband for Queen Elizabeth. He had been crowned in February by the rebels of the Low Countries. Orange said that they submitted to 'so weak and resourceless a prince,' only to secure the assistance of England. (*Spanish Papers*, 1580-1586, 221.) Elizabeth and Henry III., however, did not support him, and he had returned to France at the beginning of July 1583.

² An attempt was made on his life on 18 March, when he was shot under the ear and seriously wounded. Mendoza, the Spanish ambassador in London, was suspected of complicity. (*Spanish Papers*, 1580-1586, xxxvi, 234, 239.)

³ Holograph.

XCII

[14 September] 1582.

'The supplicatioun of the lordis interprisaris of the raid of Ruthvenn.'¹

They complain that for about two years they have been inordinately oppressed and maligned by the Duke of Lennox and him who is [called Earl of Arran]. They bore their wrongs patiently, so long as these were merely personal. But now the above lords are conspiring against the 'commoun welth,' against the reformed religion, and all the estates of the realm, who served the King well in his youth. They govern the country at their pleasure and under the influence of the rebel bishops of Glasgow and Ross: they take counsel with the papal nuncio, the Spanish ambassador and French papists, and work in the interests of the King's mother to the jeopardy of the true religion and of the royal estate. For the preservation of the King, whom they hold themselves bound before God to defend, they have convened together, and solemnly exhort him for the sake of himself and the realm to retire to some place of safety, where his nobility may have free access to him, and where he shall learn the treason of the foresaid lords.

Copy, undated, 2 pp. Vol. B, 292.

Calendared in *C.S.P.*, vi. no. 165, which supplies the date.

XCIII

25 September 1582.

Be it kend till all men be thir present letters We Willame erle Gowrie lord Ruithven thresaurar of Scotland, Johnne erle Mar lord Erskin, Patrik lord Lyndesay of the Byris, Robert lord Boyd and Robert commendatour of Dunfermling² to be bundin and obleist and be the tennour heirot bindis and oblissis ws and everie ane of ws for our awin partis conjunctlie to our weilbelovittis Capitanis

¹ The Raid of Ruthven, 22 August 1582. Stated in *H.J.S.*, 189, to have been 'done upon the 23 day of August, 1582.'

² Robert Pitcairn, Secretary. (*R.M.S.*)

Alexander Ruithven¹ Robert Boyd of [Badinhath² and Levingstoun of Donypace To content pay and thankfullie delyver to every ane of thame for the intertenment of thame and thair cumpanyis during the space of ane moneth begynnand upoun the sext day of October nixtocum the sowme of nyne hundereth fourscoir four pundis money of the realme betuiz and the said sext day of the said moneth, provyding thay haiff thair men listit and redy to be musterit and to enter in service upoun the samyn sext day of the said moneth.³ In witness heirof we haiff subscrivit this our obligatioun with our handis, at Streveling the xxv day of September the yeir of God 1^m v^c fourscoir and twa yeris befor thir witnesses

[No names have been filled in.]

MAR.

GOWRYE.

R. BOYD.

R. DUNFERMLING.

PATRICK LYNDSAY.

[Endorsed] Ruthven Thesauraris band for sum captanis. 1582.

Original, autograph signatures, $\frac{1}{2}$ p. Vol. A, 160.

XCIV

Robert Boyd of Badinhath to his son.

3 October 1582.

TO MY SONE, THE LAIRD OF BADINHAYTH.

Sone, this is to adverteis yow that the Lordis of the counsale heir wrait for me to cum to this toun with all possible deligence, for my advise and counsale in sik thingis as thay hade ado: and afor my cuming, thay had con-

¹ This may be the Alexander Ruthven of Forgund whom Calderwood mentions in connection with the Gowrie conspiracy of 1600. (*Calderwood*, vi. 72.)

² That Boyd and Livingston took an active part in affairs can be gathered from the references to them in the *Registers of the Privy Council*.

³ Calderwood states that 'the counsell concluded, that some companeis, both on hors and foote, should be levied. The king mislyked their purpose, and to move them to desist, promised to give them a remissioun in the most ample and sure forme they could devise.' (iii. 674.) The truth of these statements is borne out by the following document.

cludit at the Kingis Majesties desyre to discharge rasing of ony men of weir ather on horse or fute, and hes dischargeit the capitanis that is heir of rasing of ony men; and sa mony Lordis as ar heir now hes writtin to yow to the same effect (quhilk writting ye sall ressave). And thay have promiseit to me faythfullie that ye salbe satisfieit for all cummer and expenssis that ye have maid for lysting of men. I think best ye schaw the Lordis writting to the gentilmen that ye have conduceit, and als to schaw thame quhair the Lordis obleist thame to have maid yow payment. Thairfoir handill that mater the wyseliest ye can to your honestie, for ye have na schame thair of, in respect that all the rest of the capitanis ar dischargeit alsweill as ye ar. And als the Lordis hes promiseit that thay sall rais na forces of thair awin, bot thair sympill and quiet houshaldis agane the conventioun. And the Kingis Majestie hes promiseit faythfullie to the Lordis heir be the worde of ane king and be his handwritt to caus the estaittis at this nixt conventioun ratifie and appruif be act, that thir lait proceedingis of the Lordis salbe allowit as gude service done to his Majestie, and salbe ratifeit in parliament howsone it may be haldin.¹ The Kingis grace rydis of this toun on Mononday nixt and beis in Edinburcht at evin. I will desyre yow to meit ws at the Falkirk on Mononday be ix houris. And desyre George Campbell and Constene Walkinschaw to cum with yow; and ye sall bring na armour bot steilbonettis and pistolettis. My lorde of Glencairne raid of this toun yisterday. The erle of Gowrie nor the Master of Glammis ar nocht cumit agane as yit. Thair is na newis heir for the present, bot referris the rest till our meitting, and sua committis yow to God. Off Striviling, this thrid of October 1582.

your father

R. BOYD.

Original, holograph letter, seal remains, $\frac{2}{3}$ p. Vol. B, 354.

¹ The declaration in favour of the Ruthven Raiders was made in Parliament on 19 October, and was afterwards deleted. (*A.P.*, iii. 326.) The notices in the *Registers of Privy Council* show how Boyd himself was prosecuted for the part he played.

XCV

Henry Duke of Guise to James VI.

20 October 1582.

As the French king is sending the Chevalier de la Mothe, one of his privy councillors, on a visit to James, the Duke of Guise is glad of the opportunity to beg His Majesty to inform him of the true state of affairs, as for some time he has been much troubled by the current rumours. The sufficiency of the Sieur de la Mothe is such that the Duke need write no more.

AU ROY D'ESCOSSE.

Sire, Envoyant le Roy Monseigneur Monsieur de la Mothe Chevalier de son ordre et Conseiller en son prive Conseil pour vous visiter,¹ jay este tresaise de trouver si belle et seure commodite pour avoir le moyen de supplier, comme je faictz treshumblement, Vostre Majeste me voulloir faire cest honneur de me departir de ses nouvelles, desquelles depuis peu de temps je suis en une extresme peyne pour les bruietz divers qui en courrent desirent infiniment en estre esclarey a la verite. Ledit Sieur de la Mothe est si suffisant et bien instruit que je ne vous importuneray dautre plus long discours, et finiray en pryant Dieu, apres avoir treshumblement baise les mains de Vostre Majeste luy donner, Sire, en parfaicte sante tresheureuse et treslongue vye. De Paris, ce xx^{me} doctobre 1582.

Vostre treshumble et tresobeissant cousin et serviteur

HENRY DE LORRAINE.²

Original, autograph signature, seal remains, $\frac{2}{3}$ p. Vol. B, 506.

Printed in Fraser's *Earls of Haddington*, ii. 8.

¹ The French court, being alarmed at the ascendancy of the Ruthven Lords, despatched de la Mothe Fénelon to Scotland by way of England. On 21 December he was on the point of setting out from Windsor. According to Sir Walter Mildmay, 'A more perilous man to work ill things for us could not be picked out in all France.' The ambassador had an interview with the King on 18 January 1582-3. (*C.S.P.*, vi. nos. 237, 252, 280; cf. *H.J.S.*, 193.)

² Walsingham had 'secret information that the chief cause of La Mothe's repair to Scotland is to conclude a marriage between the young King and the daughter of the Duke of Lorraine.' (*C.S.P.*, vi. no. 266.) His instructions are printed in the *Bannatyne Club Miscellany*, i. 75.

XCVI

Catherine de Medicis to James VI.

20 November 1582.

The writer and the King, her son, have heard with much regret of the new troubles which have lately broken out in the kingdom of Scotland, occasioned by some ill-advised subjects. They wish to offer their good offices, as is fitting by reason of the strait friendship and alliance between the crowns of France and Scotland. King Henry has wished to despatch the Sieur de Maineville, gentleman ordinary of his chamber, bearer of these presents, to be employed in his name in all ways possible to reinstate King James in the position in which he ought to be, and to aid in the settlement of all things injurious to the peace of the realm of Scotland, the wellbeing of which is as dear as that of France to the heart of the writer. She begs credence for the Sieur de Maineville.

A TRESHAUT TRESEXCELLENT ET TRESPUISSANT PRINCE
NOSTRE TRESCHER ET TRESAME BON FRERE ET PETIT
FILZ, LE ROY DESCOSSE.

Treshault, tresexcellent et trespuissant Prince nostre trescher et tresame bon frere et petit filz: Nous avons entendu, le Roy monsieur mon fils et moy, avec beaucoup de regret le nouveau trouble puisnagueres survenu en vostre royaume d'Escosse a loccasion daucuns de vos subjects mal conseilles: Enquoy desirans vous subvenir, et faire tousjours paroistre nos bons et aimables offices, ainsy quil appartient a lestroicte amitye et alliance qui est entre la couronne de France et d'Escosse, il vous a voullu depescher le Sieur de Meigneville,¹ gentilhomme ordinaire de sa chambre, present porteur, pour s'employer en son nom en tout ce qui sera possible, a vous remectre en lestat ou vous deves estre, et ayder a lassopissement de toutes choses qui peuvent alterer le repos et tranquillite du royaume d'Escosse, que nous

¹ François de Roncherolles, Sieur de Maineville. According to the *Historie of King James the Sixth*, he was despatched by sea, at the same time as de la Mothe by land, and they 'came bayth in Scotland in the moneth of Januar of the next yeir.' (*H.J.S.*, 193.) The editor of the *Calendar of Scottish Papers* supposes 'that Maineville may have been sent by the Guises for the purpose of forwarding the plans of the Spanish party in Scotland, which we now know were in progress unknown to the king of France.' (*Spanish Papers*, iii. p. 422 n.) An account of the Sieur's report of his mission was sent to Philip II. in June 1583. (*Ibid.*, p. 479.)

desirons avec aultant d'affection de veoir en bon estat que celluy mesme de la France, ainsy que vous entendrez le tout plus particulièrement par ledict Sieur de Meigneville que nous vous prions de croire comme nous mesmes, qui supplions le Createur, treshault tresexcellent et trespuissant prince nostre trescher et tresame bon frere et petit filz, quil vous ayt en sa tressaincte et trespaigne garde.

Escript a Paris le xx^e jour de Novembre 1582.

Vostre bonne grantmere

CATERINE.

Original, autograph signature, trace of seal, $\frac{1}{2}$ p., written longwise on a large sheet. Vol. B, 482.

Another letter in exactly the same terms, of date 26 October 1582, advising King James of the despatch of Sieur de la Mothe Fénelon, is printed in Fraser's *Earls of Haddington*, ii. 11.

XCVII

22 June 1583.

'Ane commissioun be the Quene of England to certane commissionaris to tak tryall anent the depradations and piraceis committit on the inhabitantis of Scotland.'

Elizabeth by the Grace of God, Queen of England, France and Ireland, Defender of the Faith etc. to our faithful councillor Edward Earl of Lincoln, Admiral, and to our beloved councillors Francis Knowis and James Croftis, knights, Treasurer and Contrroller of our household, Cristopher Hattoun, knight, Vice-chamberlain, Francis Walsingham, knight, principal secretary, and Walter Muldemay, knight, Chancellor of our Exchequer, also to Valentine Dale, Doctor of Laws, David Lewis, Doctor of Laws, Master and Judge of our Admiralty Court, John Popham, esquire, our Attorney General, Thomas Egertoun, esquire, Sollicitor general, Thomas Randolph, esquire, one of our privy councillors, William Awbrey, Doctor of Laws, Thomas Fanshaue, Peter Osburne esquire, John Hammond, Doctor of Laws, esquire, and Henry Killigrew esquire: We understand from various complaints by the subjects of our dearest brother James, King of Scots, brought as well by

sundry of themselves as by envoys recently sent by him,¹ that Scottish ships while pursuing commerce on the sea were attacked and plundered by our subjects. But we, who desire nothing more than to preserve and cultivate peace and friendship with our neighbour, are greatly desirous that timely remedy be found for these and similar grievances. We, therefore, considering that causes of spoils and depredations require speedy expedition by law and equity, and having the utmost faith in your fidelity, prudence and skill in examining and deciding causes, make and constitute you our commissioners and judges by the tenor of these presents, giving and granting to you, sixteen, fifteen, fourteen, thirteen, twelve, eleven, nine [*sic*], eight, seven, six, five, four or three of you, power and authority to decide causes and complaints by Scottish subjects anent piracies, spoils and depredations, summarily and without appeal; also to proceed against all the buyers and resellers of the despoiled goods, also against all who shall harbour and assist the said pirates and despoilers, by examination of the parties upon oath, or in such other ways as may seem expedient, to imprison delinquents for satisfaction of the goods bought or received, to exact fines, and to do all other needful diligence. And finally, we have granted to you, sixteen, fifteen, fourteen, thirteen, twelve, eleven, ten, nine, eight, seven, six, five or four of you, of whom we wish you, our Admiral, Treasurer, Controller, Vice-chamberlain, Secretary or Chancellor of the Exchequer always to be two, power by the tenor of these presents to apply some part of the fines exacted from delinquents for the relief of the despoiled Scottish subjects. And because we desire nothing more than the satisfaction of the Scots, and that our sea should be safe from pirates and sea-robbers, we command the judge of our admiralty court that he issue commission or commissions

¹ About the beginning of April 'the King and sundry noblemen have made several requests for relief and redress to be made to divers Scottish men spoiled by English pirates.' (*C.S.P.*, vi. no. 386, p. 369.) A commission to four of the above commissioners is briefly inventoried under date 5 June 1583. (*Ibid.*, no. 506.)

under his great seal as admiral to such of our subjects as shall be named by our other commissioners or any four of them as above for capturing the said pirates and sea robbers, under caution and subject to such conditions as shall be assigned; commanding all and sundry our sheriffs, vice-admirals, mayors, bailiffs, constables and other officers whatsoever, as well within as outwith liberties and exempt places, that they be heedful and helpful to you and your ministers in the execution of these presents in all things necessary. This commission we wish to continue during our pleasure, in testimony of which we have caused these our letters patent to be made. Witness our hand. At Westminster, 22nd June, 25 Elizabeth. *Per ipsam reginam*, Powle.

Latin: copy, 2½ pp. Vol. B, 295.

XCVIII

30 July 1583.

'The Proclamatioun sett furth at Perth, the penult day of July 1583, the tyme that the erllis of Huntlie Crawford Montrois Glencarne Rothes and remanent ther adherentis enterit in courte.'

That 'the practises and bissie travellis of sum of his unnaturall and disordourit subjectis' are the cause of faction and disturbance and perversion of justice: that the king, to remedy these matters and to satisfy 'his loving and gude subjectis' has thought fit, with the advice of his Privy Council, to publish his true opinion of the events of the last year and of his present state. That on attaining his seventeenth year, and remembering the 'troublit estate of this realme,' especially through the events of the previous year,—which were much against his liking, although he bore with them patiently for 'publict quietnes saik,'—it was his intention, when opportunity offered, to assume personal government and to rule as King impartially over all 'his nobilitie and gude subjectis.' That, therefore, of

his own initiative, on the 26th of June¹ last, he proceeded from Falkland to St. Andrews, where he notified many of his chief nobles of his actions and intentions, and gave licence to others, for whom he had not written, to return home² till he, with the advice of chosen councillors, should hold further deliberation anent the 'suretie of his persone, and preservatioun of the publict quietnes.' That since then he has been chiefly occupied with these things and intends 'with Goddis grace to governe his realme and subjectis heireftir in peax and justice, and in the professioun of Godis trew relligioun publictlie preicheit and be the law establisheit'; that by these presents he grants forgiveness and oblivion of 'bigane offenssis' to all his penitent subjects who 'tymouslie' acknowledge their faults, provided that they afford no future provocation. That he wills his subjects universally to live in quietness, blotting out the memory of all factions and quarrels during his minority; and gives warrant for publication at market crosses.

Copy, 1½ pp. Vol. B, 301v.

Printed in *P.C.*, iii. 585, Calderwood, iii. 719; calendared, *C.S.P.*, vi. no. 581; inventoried, *T. and S.P.*, no. 493, p. 240.

XCVIII A

Elizabeth to James VI.

[7 August 1583.]

I am much grieved to 'beholde how diversly sondry wicked spiritis distracke your mynde, and bendes your course to croked pathes.' Your conduct has belied all your former promises, but I am not easily to be deceived. Have

¹ In this way he freed himself from the domination of the Ruthven Lords.

² Calderwood states that 'after [Angus and Bothwell] had spokin with the king, he commanded them to returne home, and remaine at their owne houses. (iii. 715; see also references in *C.S.P.*, vi.) James by proclamation forbade any to 'cum in his presence without speciall licence had and obtenit thereto.' (*H.J.S.*, 198.)

you forgotten how you yourself wrote to me 'sheweinge how dangerous a course the Duke¹ was entred in,' since you now proceed against those² who saved you from him as if they were 'gilty folke'?

'I hope you more esteeme your honour than to give it suche a stain, since you have protested so often to have taken these Lordes for your most affectionat subjects, and to have done all for your best.' I advise you to proceed no farther until you have heard from my express messenger³ what are my intentions to promote your welfare 'with more security to your selfe and state than all thes dissemblinge counceils wil, or can, bringe you.'

Holograph letter, undated. Vol. C.

Printed in *Illustrations*, Letter IV.

XCIX

James VI. to William of Nassau

[c. October 1583.]

By the Prince's letter and the credit of the Sieur de Melville, James has fully understood the devotion which caused him to undertake the liberty of the Low Countries, and the establishment of the reformed religion there, and how, notwithstanding all the contrivances of the King of Spain to throw disrepute upon the Prince and his design, his innocence has hitherto served him sufficiently to parry all the thrusts of his enemies against his life and honour. Of this his published defence against the proscription of the said King is sufficient testimony to Europe. James has no doubt that God will prosper his enterprise and bring it to a successful issue in the eyes of the world. He heartily thanks the Prince for informing him of the plots against himself and the religion which he professes, but he firmly believes that God, who since his infancy has caused the light and liberty of His gospel to be preserved in Scotland, in spite of the Pope and his adherents, will never abandon him as a prey to their designs. Nevertheless he will not cease to employ the help of all Christian princes to frustrate their schemes in this respect. To this end a good understanding with the Queen

¹ Esmé d'Aubigny, created Duke of Lennox in 1581.

² The Ruthven Raiders from whose custody James had escaped in June.

³ Sir Francis Walsingham.

of England has hitherto been of such value that he intends to cultivate it on all occasions.

Monsieur mon cousin, Par vostre lettre et le credit qu'avez commis a ce porteur le Sieur de Melville¹ nous avons amplement entendu la devotion qui vous a esmeu d'entreprendre la liberté des Pais Bas et letablissement de la vraye religion parmy la contree commise a vostre charge, et comme le Roy d'Espagne a tasché par toutes voyes de vengeance de rendre et vous et vostre dessein damnable et odieux au monde, nonobstant que Dieu mercy vostre innocence vous a assez servy jusquicy, pour parer toutz les coups que vos adversaires ont lancé ce temps passe contre vostre vie et honneur; dequoy vostre defence publiée contre la proscription dudict Roy est assez suffisante pour rendre tesmoignage a l'Europe. Et ne faisons doute que Dieu benira si bien son œuvre en vos mains que l'issue ne faultra de justifier devant le monde et approuver l'intention de vostre entreprinse. Cependant nous navons peu oublier de vous remercier de bon cœur de l'intelligence que vous nous donnez des pratiques et ligues complottes alencontre de nostre estat et la religion que nous professons, chose que nous nous asseurons fermement en ce bon Dieu quil ne lairra jamais venir au bout, et que celuy, qui de sa grace a depuis nostre enfance maintenu et preservé son Evangylle en ce pais, et en despit du pape et ses adherentz continue avec nous [la] lumiere et la liberte de son evangille, ne nous abandonnera jamais en proye aux desseins des malicieux ennemys de sa parolle. Et neantmoins ne lairrons² demployer avec le moyen que nous a donné le secours de toutz princes chretien pour obvier et resister a toutz platz quilz pourront escogiter alencontre de nous et nos estats, a quoy la correspondance avec nostre treschere seur et cousine la Royne d'Angleterre nous a tant valu jusquicy que nous demeurons en inten-

¹ William Melville, brother of James Melville of Hallhill. Calderwood states that he had been sent from Nassau to warn James of the measures for 'the wracke of true religion.' (iv. 393-394.) William Melville was at court at the beginning of August, and in the Low Countries early in November 1583. (C.S.P., vi. nos. 589, 689.)

² 'Cependant ne lairrons' written in margin.

tion de lentretenir pour nous en servir a toutes occasions convenables.

Draft, incomplete, unsigned, 1 p. Vol. B, 499.

Printed in Fraser's *Earls of Haddington*, ii. 3, where date is given as circa 1581.

C

9 December 1583.

'The last proclamatioun proclameit at the mercate croce of Edinburgh, upoun Mononday the ix of December 1583.'¹

JAMES :

That the 'lait surprise and restraint' of his person perpetrated in August a year past, was 'ane cryme of lesemajestie, haynous in the selff, of dangerous sequele and maist pernicious example,' the more so that most of the perpetrators were specially bound to him by 'monyfald benefitis and particular obligatiounes.' That he, being naturally inclined to clemency and hoping to draw them back to their allegiance by 'loving and gentill demanour,' has publicly and privately promised pardon and indemnity to all who should acknowledge their offence and return to their due obedience, and has dealt gently with them 'rayther as ane fader seikand to recover his childrene then ane soverane prince in a commoun welth respecting his estate and suretie.' That he permitted some of the ministers and well affected barons to intercede with them in the continued hope that their penitence might blot out their past offences. That, although his clemency has not borne the fruits hoped for, he has thought fit to assemble the nobility and estates, by their advice 'to reiterat and fullielie to performe' all his previous promises, as also to bear record of his 'mercy and loving amitie' whatever may be the results of their behaviour. That he, his nobility and estates presently assembled will 'tak sik ordour' as their own safety demands, and 'prosequute the said cryme and sequele therof' against all who persevere in their disobedience with

¹ Two days after the declaration was carried in Parliament.

their aiders and abettors. That he thus promises on the word of a prince, and his said nobility and estates swear to assist to the uttermost: this to be registered in the books of Privy Council and published at market crosses and other places needful; and for the greater authority is subscribed, as under.

At Holyroodhouse, the vij day of December 1583.

Sic subscribitur, James R. Marche Huntle Craufurde Arrane Ergyle Montrois Eglintoun Glencarne Rothas Mortoun Ogilvy Livingstoun Somerville Sinclare Doun Hereis Bishop of Orkney Neubottle Blantyre Culrois Caprington Mr Williame Lundy Carnegie.

Copy, 1¼ pp. Vol. B, 302.

Printed in *A.P.*, iii. 330. The printed acts contain a clause, omitted here, ordering a former declaration of 19 October 1582, in justification of the Raid, to be expunged from the books of Council. Calendared in *P.C.*, iii. 614; inventoried in *T. and S.P.*, ii. no. 502, p. 240. There are no signatures in the parliamentary declaration.

CI

The Duke of Guise to James VI.

22 July 1584.

The Duke of Guise recommends Francis Mowbray to the favour of the King of Scots, whom Mowbray wishes faithfully to serve, as he has long served the Queen, his mother.

AU ROY DESCOSSE.

Sire, Le tesmoignage que jay receu de la fidele affection que le sieur Francois Mowbray¹ a porté de longtemps au service de la Royne vostre mere, dont elle mesmes m'a assuré, me donnera subject de vous supplier treshumblement de lavoier en recommandacion et le favoriser en ce qui vous sera possible, afin qu'estant lié de cette obligation il vous puisse rendre le treshumble service quil desire. Et vous baisant treshumblement les mains je prie Dieu, Sire,

¹ Perhaps the Mowbray who had returned to Scotland with the Jesuit fathers before November 1584. (*C.S.P.*, vii. no. 391, p. 422.) He may be the Francis Mowbray of Barnboul, who seems to have led a stormy career. (See *Moyse's Memoirs*, and Calderwood, *ad indices*.)

vous donner en parfaite santé treslongue et tresheureuse vie.

De Paris le xxij jour de Juillet 1584.

¹ vostre treshumble et tresobeissant serviteur et cousin,
HENRY DE LORRAINE.^{1 2}

Original, trace of seal, ½ p. Vol. B, 459.

Printed in Fraser's *Earls of Haddington*, ii. 28.

CII

The Duke of Lorraine to James VI.

22 August 1584.

He takes the opportunity of the return of Lord Seton to Scotland to assure the King of his devoted service.

AU ROY DESCOSSE.

Sire, Je serois trop marry que Monsieur de Seton³ allast trouver vostre mageste sans la ressouvenir par ce mot de la devotion et volonte que jay vouée de tout temps a son service, auquel, si Dieu me randoit si heureux de men donner une occasion, je nespargneray jamais ma vie ny ce que jauray de plus cher en ce monde pour luy en tesmoigner les effects aussi certains quelle en scauroit esperer de pas ung de ceux qui ont cest honneur de luy appartenir. Je la supplieray doncq treshumblement de me conserver en ses bonnes graces et dadviser de se servir de moy comme

¹ Holograph.

² On 27 July, Davidson reported to Burghley that 'the Cardinal of Guise, the Duke, and all the brethren, etc., of that house have written earnestly to the King in his mother's favour by this messenger, who is fully instructed with their counsel and advice. He is fed with great promises from that side, and seems not a little to rely upon them.' (*C.S.P.*, vii. no. 221.) The messenger was de la Fontaine, who arrived at Leith on 4 July, accredited from the Guises and the French king to James VI. and 'most part of the nobility.' (*Ibid.*, 193, 200, 214.)

³ George, fifth Lord Seton, was about to return from a mission to France. He was in league with the Jesuits and negotiated on behalf of Mary and James VI. (*C.S.P.*, vii. *ad indices*.) In April he had asked further help of France in favour of Mary and represented that James was at the devotion of France. Henry III., however, was not in a position to send money and troops to Scotland. (Teulet, ii. 635-647, 651-652; cf. Calderwood, iv. 174-175, 243-244.) Seton's son was envoy to Spain, 1583. (*Spanish Papers*, 1580-1586, 282, 347.)

de celuy qui est antierement dispose a lexecution de ses commandemens. Et pour ne lennuyer davantage je luy baisera treshumblement les mains, et prieray nostre Seigneur quil vous donne, Sire, tres heureuse et treslongue vie. De Paris, le xxij^{me} jour Daoust 1584.¹

Vostre tres humble et tresobeissant cousin et serviteur,

CHARLES DE LORRAINE.

Original, autograph signature, seal remains, 1 p. Vol. B, 510.

Printed in Fraser's *Earls of Haddington*, ii. 29.

CIII

Instructions for the Master of Gray

13 October 1584.

Instructiones in sum maters to be communicat to our dearest suster and cousine the quene of England and hir Counsell be our richt trusty and weilbelovit servitour the Maister of Gray our ambassadour as he find tyme and occasioun. At Halyruidhous the xiiij of October 1584.²

Incace ony thing salhappin to be spokin or proponit unto you tueching the misrule on the bordouris, or for want of dew redres of ony attemptatis quhilkes may be allegeit to have bene committit be ony our subjectis within the realme of England in tyme bypast, ye may verie trewlie imput the cheif default thairof to the Lord Scrope wardane of the west marche of England, quha hes continewallie forborne to keip

¹ In July, Elizabeth was trying to detach James VI. from France. On 28 August, Castlenau reported that she was afraid of the relations of James with Spain, and wished to conclude a treaty with France in favour of the Low Countries against Philip. (Teulet, ii. 668-677.)

² Gray's commission, dated 14 October, is printed. (*Papers of Master of Gray*, 9; *C.S.P.*, vii. no. 339.) His embassy was an outcome of the conference, in August, between Lord Hunsdon and Arran, at Foulden, near Berwick. 'All the matters of dispute between the two kingdoms were frankly discussed . . . and it was arranged that the young Master of Gray, who was with Arran on the occasion, should be sent as special Scottish ambassador to London to forward the negotiation still further.' (*P.C.*, iii. p. lxxi.) He was, however, playing a double part. (Cf. Camden, 268-269; Calderwood, iv. 240-243; Teulet, 698-699.)

ony metingis for geving or ressaving of redres with the wardanis of the west marche of our realme be the space of sevin yeiris now almaist bygane, pretending evir excuse upoun the default of redres for the inhabitantis of Liddisdaill, althocht thay ly not within the west marche, bot hes bene under the cair and government of uthers officiares and kepare as is weill knawin, at quhais handis the same redres aucht in reasoun to have bene craved. And yit hes he not spairit in the mean tyme to suffer privat revenge be takin and publict hostilitie be used aganis the people and inhabitantis of Liddisdaill as in tyme of denuncit weir, not tarying for the ordinar redres, dew and accustomat in sic caissis be the order of ws our counsell and officiares, and herewithall still permitting incursionis and depredationis to be maid within the boundis of the said west marche of our realme be fire and sword to the waisting of a greit part thairoff; off quhilkes speciall attemptatis committit thir lait yeiris we deliverit sum notis in July last to Maister William Davidsoun hir servand and ambassadour heir resident with ws for the tyme, to be communicat unto her and hir counsell.¹ To the quhilk ye may not omitt to adde that quhilk is maist recent done at Tynwald in Nythisdaill twentie mylis within Scotland be the Grahames of Esk and ther complices Englishe men to the nowmer of four hundreth persones, laitlie in the moneth of September last, not onlie in the heirschip of the guidis and geir of the puir inhabitantis of the ground and hurting and slaying of divers gentlemen and uthers men wemen and bairnes, bot in rasing of fire and birning of fourty dwelling houssis in forme of plane hostilitie as gif it wer oppin weir denunceit betuix the realmes,² the puir people that sufferit the harme nawayes offending ony the subjectis of England of befor.

¹ The Scottish government delivered to Davison a 'note of sondry greifs' against Scrope. On 12 July Scrope sent Davison a letter justifying himself from complaints. (*Border Papers*, i. nos. 243-245.) William Davison was envoy to James VI. from May till September 1584. (*C.S.P.*, vii. nos. 127, 308.)

² The *Border Papers* contain no reference to this incident, but at the beginning of November, Johnstone, Scottish warden of the West March, was charged to answer before the King for the 'burning of Robert Maxwellles barnes and cornes done by some of the Grames,' English borderers. (No. 264.)

As also ther hes bene takin in our realme ransonit and used as presoners a greit nowmer of our subjectis be the inhabitantis of the west and middle marchis of England.

Ye sall remember the quene our dearest suster of our earnest and maist lawfull request maid unto hir in Maij last be our letters sent with our servand Maister Thomas Levingstoun¹ concerning the deliverie to ws off our rebellis kn[awin ?] to hir ressett within hir realme of England, and intertenyt sa neir the bordouris to our contempt and great misliking now be the space of sex monethis, [the] sentence of our estaittis in parliament² having procedit aganes thame in the meantyme adjugeing thame rebellis and giltie of the treasounable crymes comm[ittit] be thame, and swa worthie to underly the puneisement dew for the saime; quhairanent we loked langsyne to have ressavit satisfactioun at the handis of our said dearest suster, seing the ressett and intertenyment of thame is sa expres aganis the treateis of peax and amytie and can not in reasoun be allowable.

Quhairfore ye sall earnestlie require our said dearest suster yit as of befor that our saides rebelles may be delivered to ws our lieutenantis or wardanis, quhom we sall send to the frontiers to ressave thame at sic convenient day and place as salbe appointit according to the saidis treateis quhairof ye have a copy for your better informatioun, as sche will declair hir guid and sincere meaning to the trew observatioun of the same, and will luke for the semelable at our handis quhen the like occasioun may occur.

Ye sall yit remember the Quene our dearest suster the mony spoyles and robberiis committit be the Englishe pyrattis hir subjectis upoun the merchandis mariners and uthers of our realme, off quhilkes certane indeid gat sum redres quhairof ye sall rander unto our said dearest suster

¹ 'Ane obstinat and ignorant papist, pensioner to ye Quein of Scotland, and principall servitour to ye young duik' [of Lennox]. He was despatched from Stirling on 4 May. The Queen replied that she did not look upon the exiled lords as traitors. (C.S.P., vii. nos. 106, 115, 121.)

² A.P., iii. 296. The banished lords, Angus, Mar, and Glamis, had fled to England on the downfall of the Gowrie administration and the apprehension of Gowrie on 15 April 1584. (C.S.P., vii. *ad indices*.)

in our behalff maist harty thankes, praying hir maist hertlie to continew hir favour and cair to have the remanent satisfitt according to justice and reason, specialie tueching the spoylis followit be Adam Fowlartoun¹ and uthers sensyne, quhais satisfactioun wes appointit to have bene maid of the fynes ordinit to be levyed of the pyrattis and their ressettaris; for quhilk purpos sindrie of our subjectis hes attendit thair in sute sensyne with verie litle furtherance, and thairfore moved be the repetitioun of thair grevous and lamentable complaintes, we mon recommend specialie thair redres to be yit craved be you, quhairof we doubt not ye sall ressave sum mair special informatioun of the partiis interessit. And therwith all our will is that ye travell for sum gude order to be providit how the continewall persute of Englishe pyrattis upoun this natioun may be restranit in tyme cuming, seing na thing can be mair prejudiciall to the peax and amytie, nor will mair wound the hartis of honest and gude men, favourers of the same amytie, then to find thame selfis spoyled of thair guides without redres or recovery, quhair thai haif loked and still hoipis for freindschip and gude nychtbourheid.

JAMES R.

Original, autograph signature, 1½ pp. Vol. B, 349.

CIV

M. de Maineville to James VI.

5 November 1584.

Maineville reminds the King of Scots of the difficulties which beset princes, and recommends him to show his wonted prudence by waiting with patience until circumstances shall enable help to be furnished to him from France. If the times had been as propitious as Seton, the Scots ambassador, was earnest, all the desires of James would have been granted; but unfortunately the French, no less than the Scottish government, is hampered by difficulties. The writer hopes that Seton's embassy will

¹ In August, Adam Fullerton wrote to Davison 'tuyching ye caus I had in hande.' (C.S.P., vii. no. 285.) Cf. the 'cause rightfully moved and legitimately proceeding before [the Great Admiral of England] by Master David Fullartoun . . . commissary from James King of Scots' in 1578 (No. LXXXIV).

bear fruit in the course of time; and professes his own goodwill to the service of James.

AU ROY DESCOSSE.

Sire, Ce n'est point de merveilles qu'il arrive quelques foyes des difficultez et mutations aux affaires des princes qui retardent le progres accoustume de leur plus ordinaires actions. Cela se pratique fort souvent par tout. Vostre Majeste a mon advis n'auroit point atteint ce grand degre de prudence qui reluist en elle, si elle ne l'avoit plusieurs foyes esprouve, qui me faict penser que comme vous avez sceu tant sagement manier plusieurs empeschementz et remplir toutes sortes de deffaultz, vous scaurez patiemment pourveoir a ce qui manque de nostre part, attendant que la saison le restablisce a vostre contentement; chose qui se doit esperer, veu le nombre de serviteurs que les vertuz de vostre Majeste ont desia conquis entre nous, joint aussi que les apparences, Dieu aydant, vous en feront bien tost demonstration. Mais certes si plustost le zelle la diligence le bon jugement et laffection y eussent peu servir de quelque chose, Monsieur de Seton¹ vostre ambassadeur vous en eust rapporte tres plene satisfaction, car je croy qu'il ne se peult adjouster d'ardeur a sa volonte ny de soing a sa negotiation ny de sage advis a ses propositions, de sorte que si le temps eust este aussi propre que la personne, Vostre Majeste peult croire qu'elle eust este servie a souhaict. Mais comme je trouve en vostre royaume presque toutes choses contraires, il a trouve en celsuy cy les unes contraires les autres difficiles et presque toutes enveloppees d'empeschementz. Neantmoins tout cela, je ne faictz point doubte que tant de bons advis et de sages remonstrances qu'il a semees ne rapportent beaucoup de fruit en leur temps.² De ma part le desir ardent que j'ay a

¹ Calderwood states that Seton returned on 11 December. (iv. 243.) He had been expected in Edinburgh as early as September. (C.S.P., vii. no. 298.)

² At this juncture the French government did not wish to break with England, and showed itself apathetic in the Scottish question. On 3 September 1584, Castlenau, the French ambassador in London, wrote to Henry III. that 'on a assure a cette reine . . . que Votre Majeste ne se soucioit point des affaires du roi d'Ecosse, ni de la liberte de la reine, sa mere.' (Chérueil, *Marie Stuart et Catherine de Medicis*, 120.)

l'accroissement du bien de vostre treshumble service me faict prier Dieu incessamment, Sire, qu'il luy plaise eslargir a vostre Majeste tres abondante satisfaction de tous ses tres vertueux desseings.

A Gaillon ce Cinquiesme jour de Novembre 1584.

Vostre treshumble et tresobeissant serviteur,

MAINEVILLE.¹

Original, autograph signature, trace of seal, $\frac{2}{3}$ p. Vol. B, 505.
Printed in Fraser's *Earls of Haddington*, ii. 31.

CV

Duke of Guise to Countess of Arran

7 November 1584.

He thanks her for her favourable reception of his envoy and for the presents which she has sent by him. The Duke hopes to return the courtesy by sending suitable gifts to Lady Arran. In the meantime, he expresses his obligations, and exhorts her to continue her good offices in the service of the King and Queen of Scotland.

MADAME, MADAME LA COMTESSE D'ARAIN.

Madame la Contesse,² Les honnestes receptions dont il vous a pleu favoriser le Seigneur Paul mon Escuyer au dernier voyage quil a faict par dela me donnoient assez de subject de vous en remercier plustost, et des beaux presens que nous avez envoyez par luy, lesquelz jay receu avec beaucoup de volonte de m'en revancher avec chose digne de vous. Mais ayant differé a vous escrire pour cet effect, attendant certaine commodité qui ne sest presentée si tost que je desireroy, je nay voulu oublier cependant de vous escrire la presente pour vous tesmoigner lobligacion que jen resens et le desir que jay tousjours eu de vous servir depuis les assurances que je receuz de laffection que vous

¹ M. de Maineville, who had been despatched to James VI. at the end of 1582 (No. XCVI). He remained in Scotland until the beginning of May 1583. (Teulet, ii. 529-537, 552-553, 566, etc.; C.S.P., vi. nos. 443, 447.)

² Elizabeth Stewart, daughter of John, fourth Earl of Atholl. Lady Arran was accused of 'witchcraft, seductiveness, rapacity, and one knows not what other crimes,' and was notorious 'as the most awful Scottish woman of her generation.' (P.C., iii. p. lviii.) On 5 February 1584-5, it was said that 'The Erl of Arren gydis all togidder wyth his lady quho is maid Lady Controller.' (C.S.P., vii. no. 529.)

demonstrez au service du Roy et de la Royne d'Escosse, et dont vous leur avez desia rendu tant de preuves; aquoy je vous suppliray de continuer et croire que le plaisir men revient en mon particulier, et la volonté de vous faire congnoistre par quelque bon affect la puissance que vous avez sur moy. Et vous baisant les mains je prie Dieu, Madame la Contesse, vous donner ce que mieux desirez. De Marchais le vij^e Jour de Novembre 1584.

Vostre tresaffectionne amy a vous servir

HENRY DE LORRAINE.

[Endorsed] This letter occasioned G***** death.¹

Original, autograph signature, trace of seal, $\frac{1}{2}$ p. Vol. B, 471.

Printed in Fraser's *Earls of Haddington*, ii. 32.

CVI

3 January 1584–24 Feb. 1584-5.

Ane letter send from the Cardenoll de Como² to Doctor Parrie that should hef slane the Quene of England.

Sir, his Holines hes sene your letter of the first of³ withe the assurance includit and can not bot commend the gud dispositioun and resolutioun whiche yow wryt to hold towardis⁴ the service and benefit publique, wherin his

¹ The endorsement is written in a careless hand, and the name is illegible and there is no evidence to verify any conjecture. Calderwood, however, makes a statement not without interest in this connection. Under the Arran administration, the papists 'were constituted judges for the wracke of the Protestants, whom that monster of nature, called Countesse of Arran, sitting in judgement, controlled at her pleasure. . . . This ladie sitting in judgement, commanded the ignorant to answere directlie to her; and caused sindrie to be hanged that wanted their compositiouns.' (iv. 410-411.)

² 'Tolomeo Gallio, Cardinal of Como, was a Lombard subject of Philip, a member of the Spanish party in the Sacred College, and Secretary of State.' (*Spanish Papers*, 1580-1586, p. 528 n.). France and Spain were at this time busily pulling strings at Rome for the furtherance of their Anglo-Scottish policy. (*Ibid.*, pp. xlv-xlvi.)

³ Blank in the MS. The date was 1 January 1583-4, when Parry wrote to the Pope 'for an indulgence for a certain enterprise.' (J. H. Pollen, *Queen Mary and the Babington Plot*, xxiii.)

⁴ Written in an imitated Celtic or Irish script. A table of this characteristic alphabet is prefixed on the opposite page. At the foot is written '*Virescit vulnere virtus. Marti vel Mercurio. Io. Couper.*'

Holines doeth exhort yow to persever causing to be brocht to effect that which yow promese, and to the end yow may the more be holpen by that gud spreit which hath moved you therunto his Holines doeth grant you plenar indulgence and remissione of all your sinnes according to your request assuring you that besyds the mereit that yow shall receave therfore in heaven his Holines will forther make him self debitor to acknowledge and requit your deserving by all the best means he may; and that so muche the more in that thou use the more modestie in not pretending any thing. Put therfore to effect your holie and honorable determinations and attend your health. And to concloud I offer my self unto you hartelie and vish you an gud and happie succes.¹ From Rome the third of Januare 1584.

at your commandement

CARDINAL OF COMO.⁴

He wes arrayned and condempd the 24 of Februarie anno 1584.²

Copy, 1 p. Vol. B, 60.

A representation of a coat of arms, drawn on a paper shield and illuminated in colours, is affixed to the blank page beneath the signature. On the right-hand side, upon the page of the document, is written:

'The armes of Mr. Rouse, Justice of peace in England, with quhom I Mr. Johne Cowper wes in the tyme of my banishment anno 1583 1584.'

CVII

Castlenau to James VI.

9 February 1584-5.

Castlenau is in receipt of a letter from the Queen of Scots, who expresses herself pleased with her new quarters at Tutbury and with the hopes held

¹ This is probably one of the 'letters from the Cardinall of Como, wherein my enterprise was commended, and myself absolved in the Pope's name. These letters I imparted to the Queene.' (Parry's Confession, Camden, 274.)

² William Parry, a graduate in law of Paris, was a discredited courtier who trafficked in the treasons and conspiracies of the time, and in the end 'underwent, in Palace Yard, Westminster, the appalling sentence for high treason on the 2nd of March 1585.' (*Queen Mary and the Babington Plot*, xxviii.) His career can be traced in Father Pollen's book. (See, also, Calderwood, iv. 350-351; *Spanish Papers*, 1580-1586, pp. 534 n., 535.)

out by the Queen of England of granting her desires and restoring her to liberty. She believes that this happy state of things is in part the result of the good offices of James, who has shown himself in the eyes of Elizabeth, as of all the world, a good and affectionate son. For herself, she desires nothing better than to see his prosperity and felicity, and to be associated with him in a good understanding with the Queen of England and the King and Queen-Mother of France.

As soon as permission is granted the Queen of Scots hopes to send an envoy to ascertain the intentions of James and Elizabeth. For this purpose, also, she will ask permission for Castlenau to proceed to Scotland, on behalf of the King and Queen-Mother of France, according to a former commission to him, to testify their affection to the King of Scots and their desire to see perpetual concord between the three kingdoms. Castlenau will do his best to promote this good end.

AU ROY D'ESCOSSE.

Sire, Je receus hier de lettres de la Royne vostre mere, la quelle me mande ce porter ayez bien en son nouveau messuage de Teutbery¹ avec beaucoup de contentement de la Royne d'Angleterre sa bonne seur pour les bonnes et grandes esperances quelle luy a donnees de tout honneste contentement et liberte ensemble de la recevoir en sa bonne grace,² dont les effectz a ce que me mande ladicte Royne vostre mere doivent, ce luy semble, en partie proceder des bons offices de vostre Mageste envers elle, affin que ladicte Royne d'Angleterre sa bonne seur voyre tout le monde congnoisse que vous luy estes un bon et affectionne filz en toutes choses ; comme de sa part elle dit navoir rien en ce monde davant les ieux que de vous veoir prosperer en toutes felicittez et estre conjointement tous deulx en bonne intelligence avec ladicte Royne d'Angleterre et le Roy vostre bon uncle mon mestre et la Royne sa mere et vostre grandmere, laquelle ayme vostre dicte Mageste comme son propre filz.

Or, Sire, la Royne vostre dicte mere est tousjours en termes de vous envoyer quelque un pour scavoir et estre

¹ Queen Mary left Wingfield on 13 January and arrived at Tutbury on the 14th. (Labanoff, vi. 87 n.) Sadler, her custodian at Wingfield, considered that 'the castle of Tutbury is a far better, and a more convenient safe place to guard her in than this is.' (C.S.P., vii. no. 347, p. 374.)

² Mary was at this juncture making overtures to Elizabeth. (Labanoff, vi. 49 ff.)

du tout resollue de vostre intention vers elle¹ sy toust quil luy sera accorde et que la Royne d'Angleterre aura eu vostre intention pour ce regart. La Royne vostre mere demenderoit aussy quil me fust permis daller veoir et visiter vostre dicte Mageste de la part du Roy mon mestre et de la Royne sa mere suyvent le commandement que je en ay eu auparavant de leurs Magestes² pour vous tesmoingner laffection quelles vous portent en toutes choses et le desir quelles ont de veoir perpetuellement une bonne et assuree amitie entre la France l'Angleterre l'Ecosse et vos Magestes a quoy sy je suys bon pour le peu de temps qui me reste a demeurer par descendi et fere quelque service³ je my employeray aussy fidellement que la chose est honneste et utile pour le bien de vos Magestes et de ces trois Royaulmes et particulièrement quelque part que je soys vostre Mageste feray luy pest estat [*sic*] dy avoir un serviteur bien affectionne qui prirai tousjours Dieu, Sire, quil donne a vostre Mageste en tresperfecte sante tresheureuse et treslongue vie. De Londres ce ix Feburier 1585.⁴

Votre treshumble et tresobeissant et tresfidel
et affectionne serviteur

M. DE CASTELNAU.⁴

Original, holograph, trace of seal, 2 pp. Vol B, 493.

Printed in Fraser's *Earls of Haddington*, ii. 35, where date is given as 9 September.

CVIIA

James VI. to Mary

15 March 1584-5.

As the bearer, de Fontenay, has been long delayed,

¹ She was in correspondence with Elizabeth, to this effect, in February. (Labanoff, vi. 92, 96.)

² As early as December 1583 he was commissioned to seek licence to go to Scotland to reconcile the King and his subjects. (Teulet, ii. 612-616.) This was granted in May 1584, because Elizabeth found 'her credit to be of late so impaired in Scotland.' (C.S.P., vii. no. 110.)

³ It was reported as early as the previous March that he had received 'leave to depart, being suspected of practices.' (*Ibid.*, no. 33, p. 36.)

⁴ The letter is dated in accordance with the French style. Michael de Castelnau de Mauvissière, Baron de Joinville, French ambassador in London, September 1575-September 1585.

James sends another letter upon his actual departure, to corroborate all that was contained in the first.

Holyroodhouse, 15 March 1584.¹

CVIII

29 March 1585.

The Quene of England Majestie speache in the parliament house 1585, Martii 29.²

My Lordes, and you of the lower house, my sylence must not injure the owner so much as to suppose a substitute sufficient to render you the thankis my harte yeeldes you, not so muche for the safe keepinge of my lyfe (for which your care appeares so manifest) as for the neglecting of your private future perrill, not regarding other waie then my present state. No prince, heirin I confese, can be surer tied or faster bounde then I am with the lynkis of your goodwill; and can for that but yelde a harte and head to seeke for ever all your best. Yet one matter togeth me so neare, as I may not overslippe, Religion, the ground on which all actioun ought to take roote, and beinge corrupted, may marre all the tree. And that ther be some faltfynders with the order of the cleargie, which so may make a slander to my selffe, and the churche whose overwrelded God hath made me, whose negligence can not be excused, if any schismes or errors hereticall wer suffered: Thus muche I must saie, that some faltes and negligences may growe and be, as in all other great chargis it happens, and what vocation without. All which, if you, my lordes of the cleargie, do not mende, I mynde to depose you. Looke you, therefore, well to your charges. This may be mended without

¹ This letter is printed as Letter V in Miss Warrender's *Illustrations of Scottish History*, from a small collection of Warrender Papers that have been detached. (Vol. C.) She adds an explanatory note that 'Fontenay was brother-in-law to Claude Nau, and for some time was also secretary to Queen Mary. . . . He was employed in 1584 in an important mission from the Court of France to James the Sixth. See Labanoff, vol. vi. pp. 80 and 460.'

² On this day Parliament was prorogued. (Sir S. d'Ewes, *Journals of Parliaments of Queen Elizabeth*, 374.)

heedeles and open exclamations. I am supposed to have manye studies but most philosophicall. I must yeeld this to be trewe, that I suppose fewe (that be no professoris) have red more, and I neede not tell you that I am, no, am not so simple, that I wnderstand not, nor so forgetfull that I remember not. And amynd my manie volumes (I hope) Gods booke hathe not bene my seldomest lectures, in which we finde that (which, by reason for my part, we ought beleve) that seing so great wickednes and greves in this worlde in which we lyve as waifaringe pilgrymes, we must suppose that God wold never have made ws, bot for a better place and of more comferte then we finde hear. I knowe no creature that breatheth whose lyfe standeth howrlie in moe perrellis for yt then myne owen, who entred not into my state without sight of manifold dangers of lyfe and crowne, as one that had the mightiest and greatest to wrastle with. Then it followeth that I regarded it so muche, as I left my selffe behind my care. And so yow sie yow wronge me to much (if any such ther be) that dout my coldnes in that behalf, for if I were not persuaded that myne were the trewe waye of Gods will, God forbydd I should live to prescribe it to yow. Take yow heede that Ecclesiastes said not to trewe, they that feare the hoary frost, the snowe shall fall wpon thame. I sie many over bold with God almightie, making to many subtyll skaimingis of his blissed will, as lawers do with humane testaments. The presumptioun is so great as I may not suffer it, yet mynd I not heirin to animat romanistis with, what adversaries they be to my estate is sufficientlie knowen, nor tollerat new fangelnes. I meane to gyde theme both by Gods holie trewe rule. In both sortes be perrellis, and of thes latter I must pronounce them dangeruse to a kinglie rule: To have everie man according to his owen censure to make a dome¹ of the valyditie and pietie of his princes government with a common vaile and cover of Gods word, whose followers must not be adjudged, but by privat mens expositioun, God defend you from a reowler that so ewill

¹ dome = judgment.

will gyde you. Bot now I conclude that your love a[nd] care nether is nor shalbe bestowed on a carelese prince, but such as but for your good will passeth as lytle for this world, as who careth least, with thanks for your free subsidie, a manifest shewe of the abundance of your good will, which I assure you but to [be] employed to your wele, I could be better pleased to returne then to receave.

Finis.

Copy, 1 p. Vol. B, 52v.

CIX

[April] 1585.

'Supplicatioun of the banishit lordis to the king, 1585.'

Our dutiful reverence towards the crown has hitherto caused us to bear our manifold wrongs in silence, but now we are compelled by the deceit of our enemies and the false accusations that they bring against us, to make clear to your Majesty our innocence, and the craft by which they call down your wrath not only upon us, but upon our friends and all who, they fear, may be able to open your eyes. By a deposition in the name of the laird of Duntreth we are unjustly accused 'of a most odious conspiracie' against your Majesty's life.¹ Before God we declare that we never meditated any such treason; and therefore we beg your Highness to consider the following points.

First, no true professor of the reformed religion, no matter how sorely persecuted, has ever lifted his hand against his anointed prince, even if that prince were of another religion. How much more would we be abandoned of God, if we plotted such treason against your Majesty?

Next, we impute not our calamities unto your Highness, but to our enemies who sought to exalt themselves by our destruction: therefore we bear no grievance against your Majesty. Even had you acted thus upon your own initiative, we would never raise our hand against the Lord's anointed. We have always been well affected and zealous

¹ Sir James Edmonston of Duntreath's deposition was dated at Edinburgh Castle, 18 February 1584-5. He asserted that the Banished Lords had plotted three different attempts upon the King. (Calderwood, iv. 345-347.)

in your Majesty's service, but we will not seek to justify ourselves 'by our loyaltie passit, or by general presumptions'; nor will we lay much stress upon the 'frivolous calumnies' which have been spread against us at various times. It was asserted, for example, by our enemies that before our banishment we were bribed by English gold to serve the Queen of England, regardless of our natural allegiance. This slandered not only us, but also her Majesty, who, far from raising up factions against you, has frequently strengthened your authority by reconciling discords, notably at the Pacification of Perth. Moreover, it is not a year past since they falsely affirmed that a 'gentil man of gud credit' plotted your death by shooting. Immediately after the execution of the Earl of Gowrie,¹ also, they spread reports that he had confessed that he and ourselves had conspired against your Majesty and your mother. Yet the earl with his dying words protested that he had neither revealed nor known anything to the prejudice of any man, and that his only intention had been to separate your evil counsellors from your Majesty. Moreover, not long ago it was asserted that a certain George Drummond had revealed a conspiracy in which we were implicated, and it was promised that he should appear before Lord Hunsdon, Governor of Berwick, to prove his assertion. But he never compeared, nor proved anything against us.

We omit many other calumnies with which we have been traduced, and return to the present accusation, which is no better founded than the others. We believe that the deponer, the laird of Duntreth, has been suborned by our special enemies, and that if confronted with us, 'he wald be ashamed to pronounce sa manifest an untruth.' It is well known, moreover, that 'his deposition is na thing bot rehearsal of a matter proponit unto him by John Hume,'²

¹ William, first Earl of Gowrie, executed at Stirling, 4 May 1584. (*H.J.S.*, 203.)

² 'All this was reported and declared to the said Sir James, deponent, by Blacke Johne Hume of the Law, who came twise to him.' (Calderwood, iv. 347.)

that is to say, *Narratio narrationis*,¹ which is of no weight in a court of law. Your Majesty knows, also, that a single witness is not sufficient evidence in civil causes; much less 'aught the frivolous assertion of ane singular man, speaking of hearesay, be able to take away the lyf, haill heritage, fame and reputation of auncient barons for ever.' Moreover, of the persons accused of plotting against your Majesty's person, some have been for the last year in Spain, some in France, some have not associated with us these three years past; others, we believe, are still in Scotland, and may easily be brought to trial. Your Majesty may thus well perceive how false is the accusation against us. Apart from all this, however, in order that our innocence may be more clearly evident to all the world, we have offered to stand trial here before your Majesty's ambassador.

In this matter, as in all others, our enemies have abused your name to serve their own violent ends. They have caused you to be universally regarded as a more rigorous ruler than any other Protestant prince, whereas your Highness is naturally inclined wholly to clemency. Their object is to make you unpopular, so that you will be the more easily reduced to the mercy of those who have possession of your fortresses and strongholds. It is common knowledge that the strength of the Scottish kings has lain in two things: first, in securing the loving obedience of their subjects by means of clemency; and secondly, by keeping their chief fortresses in their own hands. In both respects your Majesty's position has been gravely undermined by these, our traducers. No man in Scotland is safe from their violence, committed in the name of your Highness. Godly men, and loyal subjects, are condemned upon frivolous causes 'and thair possessions converted to the use of sum poore wretches of obscure linage.' As for the keepers of your castles, who vaunt their descent from Duke Murdoch,¹ we hope that they may prove more faithful than their forefathers were to some of your Majesty's ancestors.

¹ James Stewart, Earl of Arran, was descended, but not in the legitimate line, from Murdoch, Duke of Albany.

We pray God to open your eyes in time to these perils, which we, for our part, would be zealous in preventing, if your Highness would restore us to our former estate.

The disclosure of their craft, and the dangerous position of your Majesty, have moved us humbly to express our 'duetiful affection,' to declare our innocence, and to intreat you 'in the name of Him who is the righteous Judge' to redress our wrongs. And because in the past we have been unjustly considered guilty, only because we could not obtain a fair trial, we humbly beg your Majesty to 'appoint sum most indifferent and peceable of your nobilitie and counsell to heare us in places whar, without danger of our lyves, we may resorte,' and where we hope that the Queen of England will send commissioners to hear us prove our innocence, as we have promised to her to do. In making this request, since all our friends are either prohibited or in disfavour, we trust that you will not be offended that we have begged her Majesty to intercede for us.

¹ 'Before this supplicatioun can cum to your Majesteis hands we belive your Highnes sall be enformed by her Majestie mair specialle of our innocence manifested at the late accusatioun maid by your Majesteis embassadour,² in presence of the right honorable our good lords the lord Chancellour Thesaurer and Hundsdon, whilk accusation together with our answers is truely set down in writ to justifie us before the whaill warlde and to stop the mouthis of our effronted enemys, wha by sik sklanderous reports travellis to discredit and halde us out of your Majesteis favour.'¹

JHONE HAMMILTON. ANGUSS. MAR.
THO. Mr. Glamis.

Original, autograph signatures, 3½ pp. Vol. A, 346.
Printed in Calderwood, iv. 359-66.

¹ This additional paragraph is not in Calderwood, but he prints the text of their 'answers' (p. 352).

² In February, James sent Sir Lewis Bellenden, Justice-Clerk, 'to acquaint [Elizabeth] with some new plots and practices of our restless rebels, now in England.' (C.S.P., viii. no. 542; cf. Calderwood, iv. 352.)

CX

Maitland of Thirlstane [?] to Sir Lewis Bellenden

12 April 1585.

My veary good Lord, I receaved frome this berrar your lettre of the first of this instant wherof I thank yow hartlie. I have delyvered to be careit to your lordship a lettre of his Majesties awin hand to hir Majestie thair and ane uther to your lordshipis selff and ane to serve yow of farder instructioun. By his hienes awin lettres will appear with what sincerite he intendis to prosequit the amitie happely begon¹ betuein their majesteis without respect to whatsumevir event or sequelle may ensue upon these foreyn commotions,² as also that your lordshipis awin particulair credit with his Majestie is no thing empared, and that he dois weill consave and esteim of your honest behaviour and discreit proceeding in your negotiation. I have and sall at all occurrentis give his hienes my best advys (as your lordship desiris me) as I am bound be my allegiance, my naturall dutye, and mony uther obligations: and sall alwayis attend upon his Majestie. The bruit of the late commotion in France is dispersed³ wherby the papistes ar greitly encouraged, bot they sall have small occasioun of joy and les moyen to utter their insolence in this realme. I wish of God they mycht be everywhair as easelye represed. It is evident these armes ar be complotit directed against the Protestantes, and what soever uther colleur be pretexted the subversioun of the religioun is intended; and albeit

¹ Probably a reference to the mission of the Master of Gray in October 1584, and the subsequent negotiations between James and Elizabeth. Edward Wotton was about to repair as envoy to Scotland to negotiate a league and to advance English interests in general. (*C.S.P.*, vii. no. 587.)

² Outbreak of the civil war of the Holy League in France. A secret compact had been made in December 1584 between Philip II. and the Guises, and war broke out in the following March. (*Foreign Papers*, 1584-1585, xxxi.)

³ It was not till late in March that 'secret advertisements' percolated to England of 'a secret league made between the Pope, the King of Spain, the Duke of Savoy, the Princes both of Italy and the Catholics of Germany, whereof they have chosen the Duke of Guise to be executioner.' (*Ibid.*, 370; cf. xxxi.)

severall partisans have their particulair desseigns, the owerthrowe of the Protestants will greitlye promitt everye ane of theme and all; sa certainlye that is the common scope, and I suspect greitlye the progres of this commotion be projected against that realme. It war convenient all good meanes war used to divert the warre from this ylle and rather to maintean it aprod [*sic*] then resist it at home. Yff this mycrocosme be nature and ane uther element devyded frome the continent, by langage vicinile and religion happalye conjoyned, may by sincere amitye of our princes and pepill be sincerlye united, we neid not to dispair quhat soevir foreyn potentates do practese or promitt to them selves. Their is alreadye ane amitye weill begon whairby religion may be mainteaned and the estates of baith the princes assured, and may be indissolubill, yf be fit instruments in ather realme it war sincerlye and wyslye prosequit and confirmed. Let no jealousye be consaved that the duk of Gueis is neir kinnisman and hes professed him selff greitlye devoted to his Majestie, for I can assure your lordship (whom I will no wayes abuse) he is no wayes moved therby to lyk of this his misdemeanour. Experience sall give demonstratioun, and tyme of tryall (whilk I tak to approche) sall declair his hienes more respectis religion, hir amitye (wherof he hes maid speciall choise), more honorable kinred almost in equall degrees, and his Majesteis promesse (or rather solemn wowe) besyd his interest mony wayes in the harme of that realme, then ather consanguinite or uther worldlye respect bot speciallie religion wheron both their crownis ar setled and in the subversioun wherof nather of their majesteis or their estates may possibly consist. Forder, in all this behalff and toward your lordshipis negotiation I remitt to his Majesteis lettre writtin be me in his hienes nam and by his direction. Being constraned for lak of leysir to omitt the halff I wald wrytt, I mon remitt the declaratioun of the state of this realme and all occurrents heir to the sufficiencie of the berrar, the rather that their is heir no memorable alteratioun except that sum brokin men of the weist bordour cheiflye Armistrang Belles Cairleils and sum disordred

persones of England suscitat be the lord Maxuell¹ (by whom I knaw yow wold not have looked for ony notable exploiet) have brunt the Lochwood slaine twa or thre Johnistons and do what they ar able to break that bordour. It is beleved and not altogether without ground the lord Maxwell is agreed with the rebelles and wald fain oppin them a door yf they had force to entre.² I pray your lordship let me be advertesed what ye wold have doin in ony thing concernyng that wherin I may be abill to stand yow in stead or yf your furnitour be to small or cum to late, for your lordship sall nather lak ane agent or what soevir my powar or moeyen may extend to. In the mean seasoun being scarce permittit to sraip out these few [*sic*], eftir my maist hartlie recommendatioun I wish your lordship eirnistlie of God in perfect health your hartis desyres. Frome Halirudhous this xii of Aprile 1585.

[*Endorsed*] A copie of ane lettre direct to my lord justice clere the xii of Aprile 1585.

1½ pp. Vol. A, 242.

CXA

Elizabeth to Sir John Maitland

12 May 1585.

The reports of the Master of Gray and Justice Clerk during their embassy contained 'so good testimony of your forward good disposition to the nourishing of the happy contynued freendship and good amitie betwen the King your Souveraign and us, as we thought we should do you to great wrong not to take knowledg by our owne letres of your well deserving therin.' If James continues in his 'well begon course,' he shall receive 'thankfull acceptation' of his services.

¹ On 7 April, Lord Scrope sent to the English government a report of this raid of the Maxwells 'and the Armstrongs and others to the number of 400, the night last past.' Another account was sent from Berwick on 9 April. (*Border Papers*, i. nos. 303, 304.)

² The banished lords of Scotland had been at Newcastle, but in February they departed 'partlie at the desire of her Majestie, partlie because they perceived their lying neere to the borders endangered their freinds.' (Calderwood, iv. 348.)

'Written at our Manour of Grenewych the xiith day of May 1585 in the xxviith yere of our reign.'

Autograph signature. Vol. C.

Printed in *Illustrations*, Letter VI.

CXI

Walsingham to Maitland

17 June 1585.

TO THE RIGHT HONORABLE SIR JOHN MATLAND, KNIGHT,
PRINCIPALL SECRETARYE TO THE KINGIS MAJESTY OF
SCOTLAND.

Sir, Understanding the good officis that youe have ever don for the continuance and increace of the mutuall amity betwin the two crownes and howe well affected you are to the nourishing of the same, as also that you are particularly very desyrous that there may be good frendship and correspondency betwin our selves, I could not but take knowledg therof by theis my letters and assure you of the lyke desyre and ready good will in me self to establish such frendship and good intelligence betwin you and me which I meane for myne owne part to enterteyne by letters untill I may have the good happe to see you in person, as the mutuall professid good will and amity betwin our two soveraignes continuyng and encreacing more and more, there cannot some tymes but faule out some occasions of our meeting, whereof I shall for myne owne parte be most glad, and so with my hartiest commendacons I leave you to God. At Barnellms the xvijth of June 1585.

your assured loving frend

FRA: WALSYNGHAM.

Original, autograph signature, trace of seal, ½ p. Vol. B, 348.

CXII

Maitland to Walsingham

26 June 1585.

Walsingham's letter of 17th instant afforded him no little pleasure by the assurance of written correspond-

ence between them until they should have opportunity of a personal meeting. Although he is blameworthy for his silence in the past, his intercourse will prove that he always has been, and still is, desirous to promote the 'amitie betuein the tuo crounes,' and will also prove his respectful admiration for Walsingham. 'The antechristian confederacye and accursit couenant' has now openly disclosed the designs and treachery against credulous princes. It would be advisable if Queen Elizabeth could summon 'a generall dyit' of the representatives of Protestant rulers to concert common measures against the common enemy. In the meantime it would be well if the island of Britain, being a natural unit, could be 'fullie united be the indissolubill amitie of the tuo princes.' King James has a sincere desire for this, and Walsingham and Maitland must use their good offices with their sovereigns until 'a perfect suirtie be effectuat for maintenance of the religion and better quyet of this Island.' They must see to it that no untoward incidents retard the work. Mr. Edward Wotton, the Queen's ambassador, will explain Maitland's ideas in greater detail. The result of Wotton's negotiation will prove how 'wyslie and discreitlie' he has acted since his arrival. Maitland hopes that, thanks to the progress of the 'amitie,' they may soon have a personal meeting.

'Dunfermling, this xxvj of Junij 1585.'

Copy, unsigned and unaddressed, 1½ pp. Vol. A, 213.
Calendared in *C.S.P.*, vii. no. 655.

CXIII

M. de Ségur Pardeilhan to James VI.

8 July 1585.

It is two years since the King of Navarre charged him to visit the King of Scots and all Protestant rulers, but he regrets that circumstances have prevented him from fulfilling this mission to Scotland. The King of Navarre's object was to form a league for the defence of the Protestant religion against the Pope. Ségur spent twenty months in

this negotiation, and received a favourable response from England, Denmark, Sweden, the Electors of Saxony and Brandenburg, Duke Casimir,¹ the Dukes of Brunswick, Luneburg, Mecklenburg, Pomerania, and Holstein, the Landgraves of Hesse, the Marquis of Brandenburg, the Prince of Anhalt and others, and also from the best towns of Germany. He returned to the King of Navarre in March last; and immediately thereafter the house of Guise showed their enmity to him and to the Protestant Church by taking up arms in the name of the Cardinal of Bourbon, with the object of exterminating protestantism in France, and of obtaining a declaration from the Estates excluding the King of Navarre from the succession to the French crown on the ground of his religion.² Henry of Navarre has therefore sent Ségur on a new mission to England, Scotland, and Germany. The Pope and the King of Spain are supporting the Guises, who have, moreover, secured the co-operation of the King of France in their designs.³ As the peril is imminent and great, Ségur must perforce proceed immediately to Germany. He regrets, and apologises, that he cannot repair in person to the King of Scots. He reminds James of the seven wars which the Leaguers have begun in France, and of all their other machinations against the Protestants. He exhorts him, as a prince whom God has raised up for His glory in these latter days, not to confine his graces within the bounds of distant Scotland. Above all, he cautions James against the subtleties of the Guises, Philip of Spain, and all papists, and counsels him to restore to favour the banished

¹ In May 1584, an envoy of Duke Casimir and a Danish ambassador were in London on a mission connected with the Protestant league. (Teulet, ii. 657.) John Casimir, administrator of the Palatinate of the Rhine for his nephew, was an influential German ruler of the time. See, for example, the references to him in the *Calendar of Foreign Papers*.

² Henry of Navarre had become heir-presumptive to the French throne upon the death of the Duke of Alençon.

³ 'Le 7 juillet Henri III. signe à Nemours un traité avec le cardinal de Bourbon et le duc de Guise, par lequel tous les édits de pacification accordés précédemment aux protestants sont révoqués. La promulgation de ce traité devient le signal d'une nouvelle guerre civile et religieuse en France.' (Labanoff, vi. 176; cf. *Spanish Papers*, 1580-1586, p. 556 n.)

Protestant Lords,¹ to employ their services and reconcile their private quarrels. Such an exercise of clemency befits a prince and would be fruitful of much good. The King of Navarre expresses his devotion towards James, and Ségur hopes that in the future there may be a more intimate friendship between the two princes. He forwards a letter from his master,² with commendations of his own service.

London, 8 July 1585.

French: original, autograph signature; addressed Au Roy d'Escoffe. 2½ pp. Vol. B, 494.

Text is printed in Teulet, ii. 714-718.

CXIV

Walsingham to Maitland of Thirlstane

11 July 1585.

TO THE RIGHT HONORABLE SIR JOHN MATLAND KNIGHT,
ONE OF THE KINGIS MAJESTEIS PREVY COUNSEL AND
SECRETARY . . . THE ESTAT OF SCOTLAND.

Sir, your thanckfull acceptatioun of the proffer of my poore goodwill and frendship towards yow, and the assurance yow give to do your beste endeavour to nourish and increase good intelligence and frendship betwene the two crownes doth give me no lesse cause to honor yow for the one then love yow for the other.

Touching the antichristian league longe since projected and nowe latelie put in execution with very harde effectes in the realme of Fraunce, oughte as yow wiselie forsee to be rencountred withall by some counterleague and union wherof her Majestie my Souveraigne hath an especiall care,

¹ On the very day of this letter to James, Ségur also wrote to Angus, Mar, and the Hamiltons. (Teulet, ii. 718, 721.)

² Ségur had been entrusted with a letter, dated 10 May 1585, from Henry of Navarre to James VI. (Teulet, ii. 705.) On 5 July (style, old or new, unspecified), the ambassador sent to Walsingham 'the letter the King of Navarre wrote to the King of Scots and one that I wrote to him. If you approve of them, I will despatch them.' The editor of the *Foreign Papers* thinks that this must refer to another than the letter of May 10. (*Foreign Papers*, 1584-1585, p. 585; cf. xli.) Ségur was not well satisfied with the support offered by Elizabeth. (*Ibid.*; *C.S.P.*, vii. no. 647. Read, *Mr. Secretary Walsingham*, iii. 104-105.)

havinge of late emploied some ministers of hers towards the Princes of Germany,¹ who though heretofore they have shewed them selves cowlde affected (having bin sondrie times solicited by her Majestie in this behaulfe) will I hoope now, seing the apparent daunger that otherwise is like to befall unto them selves, be founde more readie then heretofore they have bin to take some such waie of counsell as maie tende to the common defence, and therin to concurr with both our soveraignes, who, notwithstanding such projectis as are laied to breade desunion between them, will I do assure my sellfe moste firmelie joine together in the defence of this hollie cause. And for that the mallice of this present time is great, it will behove us that are inwarde ministers about our princes, that houlde places of truste and credit to carry a watchefull eye for the prevention of such wicked practises as are nowe a frooutinge, tending to worcke a breche and divorce between the two nations. Wherin as I for my parte will do my best indevor for the prevention thereof, so do I assure my selfe of your good and sounde concurrency in that behaulfe. And so I commit yow to the protection of the Allmightie God. From the Courte at Grenewiche this xith of July 1585.²

Your assured frende to comaund

FRA: WALSYNGHAM.

Original, autograph signature, trace of seal, 1 p. Vol. B, 347.

CXV

Earl of Leicester to Maitland

28 July 1585.

TO THE RIGHT HONORABLE SIR JOHN MATLANDE SECRETARIE
TO THE KING OF SCOTLANDE

Sir, I doe sildome use to seke aquaintaunce of straungers, and yet by some good inspiracon I suppose, I am moved to

¹ This is a reference to the mission of Sir Thomas Bodley to seek a confederacy with Denmark and the princes of Germany in defence of the Protestant religion. His instructions for Denmark were dated 17 April, for Brunswick, 27 April. (*Foreign Papers*, 1584-1585, pp. 415, 433-434; cf. Camden, 278.)

² A draft of this letter is calendared under date 27 April. (*C.S.P.*, vii. no. 589.)

be this bold with you though altogether unknowen to you, to shew my earnest desier that some such familier offices of frendshipp may pass betwene us, as men that doe serve ij princis so nere in blood and so dere in frendshipp as my mistres and your master be. And therefore for my none parte having hard very credibly not only of your earnest zeall in religion and fidellytie to your master the Kingis Majeste, but also of your great desier to encrease all mutuall frendshipp and love betwene our prin[ces], I cannott lyke to lyve a stranger with such a persoun but to offer any kindnes or aquaintaunce I may devyse, and findinge this the rediest meanes to open my none intent, I have for my next better credytt thought good to recomend myself and furt[her] confirmacion of this matter to certen my good fren[ds] ther, who ar my dere cosyn and frend hir Majesteis embas[sador],¹ my lovinge sonne the Master of Grey and the Justyce c[lerk]. These iij doe I make my assured deputyes to make my aquaintaunce the better with you. Thorow w[hom] I trust hereafter ther shalbe none other stopp, but that our frendshipp thus begonne for so good and honest respectis as well for the generall serving of our sufferains as the perticuler contentment of us both, but yt shall have as good and assured contynewaunce. And so to procede with you now the more homely at the first, I must pray you to take this my seking your aquaintaunce in the better parte havinge had always heretofore as yll lucke with the frendshipp of Secretaries as any man ever in my countrey hath had. Yet at last now in England I have found one, and yf my happ may be as good in Scotland, than dowbt I not but I shalbe broght into some good hart ageyn, after great discouragementis, and the rather whan I call to minde the good and assured affectyoun that somtyme was betwene your brother the Laird of Lyddington

¹ Sir Edward Wotton. His instructions were to represent the need for a Protestant league, to maintain the case of the exiled lords, to make proposals for keeping order on the Borders, to promise an annuity to the King, lest he 'should receive support from any other Prince that might be disposed to give the same, to the end to make him an instrument to disturb and trouble our estate.' He was also to ascertain 'how the King stands affected to marriage [and] what overtures have been made in that behalf.' (*C.S.P.*, vii. no. 587.)

and me, whome I protest I loved as derely as ever I loved man not born in England, and not many in England better. Well, Sir, you se how bold I am before further aquaintaunce; I fear ye will think me very sawcye after a lytle more famyllarytye, yf you allow of yt. In the meane tyme I must requyer my good frendis ther to gyve ther wordis for me; which ye shall finde honestly and honorably performyd. And so I wyll take my leave for this tyme, and comend ye to the grace of Almighty God. At the Court this 28 of July 1585.

Your very lovinge frend,

R. LEYCESTER.

Original, autograph signature, half of seal remains, 2 pp. Vol. A, 183.

CXVI

[c. 30 July] 1585.

Band against papistis and for the league with England

We, the nobilitie and estatis presentlie convenit under-standing the bludie counsalis and devysis of great princes and potestatis in Europe, bandit in conspiracie and league aganis the trew religioun presentlie be the favour and mercy of our God avowit and professit in sindrie partes of christendome, and how for the abolishing thairof and utter exterminioun of the professouris of the same nocht onelie furtht of ther dominions, bot also out of uther realmes quhair they have na auctoritie and power, having run in vane many covered and craftie courses, have now at last opinlie inarmed thame selffis, assistit with a great force and power of thair confederatis, and manifestit to the warld thair intentioun to be the repositioun of that Romishe idole to his former auctoritie, and ane universall persecucion of all thame that will nocht acknowlege his obedience. Fra the quhilk, sen it hes plesit God to reclame us in this realme, and that ther can be nathing mair convenient and necessarie for the withstanding of sa pernicious a course nor a christiane confederacie and league to be procurit and bund up betuix all princes professouris of the evangile,

quha be opponyng the meanes and power granted to thame of God to the said antichristiane confederacie may dis-appointe the prosecutioun of ther godles desseins, and assure the peaceble professioun of the said religioun [to] thame and ther posteriteis within ther dominions, speciallie betuix the crownis of Scotland and England being nerest to utheris baith be blude and habitatioun, of a lyke professioun of religioun, alyke subject to the malice and hatrent of the ennemeis therof, and in quhais unioun als great suretie to be lukit for in ther estatis, as thair is danger to be feared to baith be ther divisioun. We, thairfore, the nobilitie and estatis foirsaidis undersubscriband, considering the great and present necessitie of the said [league] and how the same can not convenientlie without perell be protracted to a solempne conventioun in parliament, and tha[n ?] reposing upoun the singuler discretioun wisdome circumspec[tioun] and zele borne be the maist noble and potent prince King James the sext our soverane Lord to the avanceme[nt] of the said religioun and maintenance therof within this realme, have thairfore for us, and in name and behalff of the haill estatis of this realme quhais body in this conventioun we represente, gevin and grantit, lyke as be the tennour heirop, we for us and in name foresaid gevis and grantis to our said soverane lord our full power privilege assent and auctoritie quatsumevir competent to ws as estaitis foresai[dis] of him selff to elect and nominat at this present conventioun sic commissioneris as he sall think expedient for treating conferring contracting ending and concluding of the said christiane league betuix his hienes and his dearest sister the quene of England, with commissioneris of a lyke rank and honour, to be directed be her to the same effect, at sic tyme and place as salbe appointed: Quhilk electioun nominatioun instructionis and conclusioun to be tane and agreit to be the saidis commissioneris as also all and quhatsumevir thing they sall promeis indent subscribe or seale tending to the said league and agreing with ther instructionis, we for ws and in name foresaidis, now as then and then as now, ratifeis appreis and affermis and be the tennour heirop with our

greatest aithis and honouris promesis to allowe approve ratifie and conferme with our consentis in the nixt parliament without any questioun or contradictioun. In witsnesse quhairof, we have in presence of his hienes subscrivit thir presentis with our handis at St. Androis the¹ day of 1585.

Copy, without signatures, 1½ pp. Vol. A, f. 218.

CXVIA

[31 July] 1585.

Band entered into by the Estates of Scotland, empowering James VI. to negotiate a league with England 'for the better maintenance of the trew ancien and christian religion.'

[Endorsed] Copie of a band dyted by his Majeste.²

Draft, undated, 2 pp. Vol. A, 59.

Printed, with signatures, in *A.P.*, iii. 423-424; Calderwood, iv. 375-377; summarised in *P.C.*, iii. 760.

CXVII

Maitland to Walsingham

31 July 1585.

Owing to 'the malice of this tyme and the late unhappy accident' upon the borders,³ the gentleman who bears this

¹ Undated, but at the end of July when the Privy Council at St. Andrews empowered the King to proceed in the negotiation of the league with England. See following document. The substance of this band is the same as that officially entered into, but it is shorter and has interesting verbal differences. It may have been a forerunner or model for the official draft.

² The many corrections and marginal notes suggest that this was not a copy but the original draft. The tenor of the band, as subscribed, conforms to the amended form of this document. Calderwood prints the King's introductory oration, where he says that 'I have made and sett down a form of act to be subscribed by you all, wherein ye promise to ratifie and approve in Parliament whatsoever I, or anie in my name, sall conclude with the Queene of Englande, or anie in her name, for the making and effectuating of the foresaid league.' (iv. 375.)

³ The slaughter of Lord Russell on 27 July, a 'day of truce,' at a meeting of the wardens, a catastrophe which obstructed the negotiations for the Protestant

letter¹ has had to be despatched to Queen Elizabeth. These are weighty matters, requiring a long letter, but the writer is so much occupied with public affairs at this assembly of parliament, and the bearer has had to depart so hastily, that he is constrained to refer Walsingham to the messenger's report. He begs credence for him, and assures Walsingham of his fidelity and good disposition towards their personal service and the cause of the League. From court at Sanctandroiss this last of July.

Copy, unsigned, $\frac{1}{2}$ p. Vol. A, 208.

Calendared in *C.S.P.*, viii. no. 47; with signature.

CXVIII

31 July 1585.

'Articles of a treaty to be made betwene the Quene of England and the King of Scotland for a more streight League than hath bene heeretofore betwene any the princes their progenitors.'

1. That both their Majesties, finding themselves threatened by a confederacy of Catholic princes banded together to promote 'the Popes authoritie,' have thought it necessary in the interests of self-preservation, 'as also for the better manetenance of the trew, ancient Christian religion which they now profess,' not only to form a strong defensive league between themselves, but also to endeavour to secure the adherence of other Protestant princes.

2. That the league thus projected shall be 'offensive and defensive for cause of religion aganis any invaders' or violators of the 'quiet and peaceable profession of the said true christian and catholique religion within their said realmes,' notwithstanding any former leagues or friendships with such invaders or violators.

League. (*C.S.P.*, viii. *ad indices*; *Border Papers*, i. *ad indices*; *P.C.*, iii. 759 n.; Calderwood, iv. 378, who gives the date as Monday, 26 July.) This incident was used by the English government as a handle against the Arran administration.

¹ Probably Captain Bruce, who was the bearer of the Justice-Clerk's letter to Walsingham of the same date. (*C.S.P.*, viii. no. 44.) Leicester also received a letter from the King by the hands of Bruce. (See No. CXX.)

3. That if any prince or state shall invade the dominions of either of their Majesties or do other injury, neither of them after due warning 'shall yeld any ayd, counsall, advice or support, directlie or indirectlie to the said invader.'

4. That in case of invasion they shall aid and assist each other as follows.

If England be invaded, the King of Scotland shall, at the request of her Majesty, supply at least 2000 horsemen and 5000 footmen, or such part of either as she shall desire, and cause them to be conveyed to any part of England at her Majesty's cost.

If Scotland be invaded, the Queen of England shall in like manner furnish 3000 horsemen and 6000 footmen, or such part as shall be required, and have them conveyed to any part of Scotland at her expense.

If the invasion be upon the north of England, within sixty miles of the Scottish border, the King shall, upon request, gather the largest possible force at his own cost to co-operate with the English power for thirty days, or so much longer (if need be) as Scottish subjects would remain in the field for the defence of Scotland.

That, if Ireland be invaded, the King shall, after due warning, prohibit any of the inhabitants of Argyle, the Outer Isles or any other parts of his dominions, from repairing thither. Also, if at any other time they shall 'repare into the said relme with extraordinaire nombres in hostill sort,' the King shall, after due warning, have them publicly denounced and prosecuted as rebels.

That all Border controversies since the King's coronation shall be composed by a meeting of commissioners of both sides.

Neither of their Majesties shall enter into any league to the prejudice of the present treaty without the official consent of the other.

That both their Majesties shall confirm the treaty under the Great Seal and cause it to be delivered to the other at a stipulated time.

That former treaties between England and Scotland shall

remain in force unless prejudicial to these presents. 'And that this treatye sall no wayes infringe nor derogat to any ligue or treatye betuein ather of thair majesteis and ony quhatsumever thair uther freindis or confederates, causes of religion only excepted, quhairin this ligue sall alwayes be defensive and offensive.'

The King of Scotland, upon reaching the age of twenty-five years, shall cause the treaty to be confirmed and ratified in parliament, and at the same time the Queen of England shall do likewise.

'That the said quein sall no wayes directlie nor indirectlie prejugé the said King his titill, or at any tyme give declaration of any other to succeed hir majestie in hir crowne and realmes.'

That for the better increase of amity 'all of the Scottis nation be naturalised Englis and frie danizens in all hir majesteis dominions, and all of the Englis nation be naturalised Scottish and frie danizens in all his majesteis dominions.'

That neither of their Majesties shall aid or abett 'any adversaries or notoir rebelles of the other,' but, upon request, shall immediately 'delyver thame according to the old treatyes or at leist expell thame and hold thame out of all thair dominions, and during thair abod ansuer and mak full redres for all thair attemptes.'

Copy, 5½ pp. Vol. B, 344.

Calendared, *C.S.P.*, viii. no. 43, which supplies the date.

CXIX

Maitland to Leicester

August 1585.

My verrye good Lord, I mon most humblie imploir your lordshipis pardon for my so lourd¹ and inexcusibill erreur, having so ungratiously keipit silence till I have bene interpellé be your lordshipis lettir.² Your lordshipis fame and vertewes so renommed thorow the world myght have

¹ lourd = stupid.

² The letter of 28 July. See No. CXV.

sufficed to admonish me of my dewtye althoghe I did not remain your debteur succeeding my brother whom your lordship had many wayes so greittlie obliged. I mon nedes confes I can pretext no admissibill excuse and to stand to my justification war to encrease my falt. I do thairfoir singillye acknowlege my offence and what I am do yeild me altogether over to your lordship for your satisfaction. I am not a litill eschamed and the more moved to the just accusation of my self be your lordship desyring my acquittance when I owght to have offred my services, a mocion your lordship is seldom accustomed to mak to strangearis, and far above all can be expected of my desert, beinge na wayes worthye of your lordshipis such favour and having no good part in me to correspond to suche honour. I myght have estemed my goodhap to great yf I had knowen your lordship wold have accepted or accounted of my service, thoghe your lordship had not honored me so muche be resaving me in frendlye acquittance and desyring that familiar offices of frendship may pas betuene us. I acknowlege my self heirbye so vanquished be your lordshipis so great courtesye and so exceadinglye bound to your lordship for your sa great faveur, that thair sall no man with more honest devotion seik to do your lordship all the service may ly in so small a powar then I shall do. Quhair you wrytes yow will requyr your frendes heir to geve me thair word for yow, I war most madly impudent yf I shold ever think thair war more suirtye in the promise of any man alyve then in your lordshipis owne word whose honour and truthe is so well knowen and whose sincerite was never called in doubt, and culd not have found strange yf hostages of my fayth had bene for my part requyred, knowing my aun basenes and being yet obscur, and having geven small public proof to give your lordship suche assurance of me as your lordship has conceived. I shalbe as sorye to frustrat your lordshipis good expectation of my fidelite as I shalbe glayd of the honour you shall do me in reckonynge me amongst your lordshipis most devoted, houping with tyme (sen your lordship hes found one in England according to your hartes

desyr) to give you sa sour testimony of my sincerite and honest devotion that your lordship sall have occasion to think that your ill luk yow have had with the frendship of secretaries salbe by our faythfull demeanour expelled and fullie at end.

How I have bene and do continew affected to the encrease of the amitie betuene these two realmes my actions and such small offices as I may be abill to do shall declair, aswell for the better maintenance of the Religion which I do tak to be the fundamentall suirte wherupon boyth their crownes ar setteled, as for the good of my soveraygne and cuntrie. And as I most earnestly wish that this ill naturallie joyned bye situatioun, language, and most happelie be religion may be by the indissolubill amitye of the two princes fullie united, so am I sorye from my harte that the malice of this tyme shold have bene so favoured be suche dolorous unhap as hes laitlie fallin out wherbye bothe my soveraygne and your lordship hes maid so great lose,¹ ane accident most displeasant to all well affected hartis to the quyet of this ill, and wherbye malicieus personnes do seik occasion to interrupt the amitie happelie begonne betuene theise two crownes, of which number I do fear ther be to manye in bothe the realmes travelling by all meanes to effectuat thair malice yf by the wisdom and sound disposition of bothe the princes and good advyse of suche as hold place[s] of credit about thame there practises be not spedelye prevented. The antechristian confederacye put in exequution in sundrye places with so hard effectes doethe threaten suche danger to the Religion and bothe the states that I can not be induced to beleve that ather of our sovereygns being so wyse and so naturallie enclyned to peax and zealous in religion will by any suggestion be moved to alter the good

¹ A reference to the death of Lord Russell. Lord Russell was related to Leicester by the marriage of his sister, Lady Anne Russell, to Ambrose Dudley, Earl of Warwick, Leicester's brother. (Doyle, *Official Baronage of England*, iii. 595; *Complete Peerage*, ii. 75-77.) On 5 August, Warwick was one of the 'humble suitors unto her majesty for the delivery of Arran and Farnihurst.' (*C.S.P.*, viii. no. 59.)

course of there proceadinges. I doubt not bot your lordship will deill so effectuallye with hir majestie your sovereygn for removing of all jealous conceptions, and for my part in the small place which I hold sall alwayes do my best endeavour that the King my sovereygne may so satisfye hir hyghnes in all reison and yeld suche occasion of just confirmation of his soundnes and constancy that no malicieus spirites shalbe abill to deprave or bleamish his sincerite. Thus craving your lordships pardon aswell for my long silence as slownes in ansueryng your lordships lettre I will for this tyme most humblye tak my leave, wissing your lordship of the almighty God in perfeit heil[t]he many happye yeares. From Steirling this of August.

Rough draft, 2½ pp. Vol. B, 331.

CXIXA

Elizabeth to James VI.

[c. 2 August] 1585.

The regret which he has expressed for the unhappy accident of the death of her valiant subject gives her to understand his sincerity and to be confident that all facilities will be given for the condign punishment of the guilty. She thanks him for having sent the bearer to express his concern and grief; and in answer to his request she charges her ambassador to state the kind of reparation which will afford her greatest satisfaction, and which will be no more than is conformable to the law's demands and the dictates of his honour.

French: holograph, undated. Vol. C. Printed in *Illustrations*, Letter VII.

CXX

Leicester to James

12 August 1585.

TO THE KINGIS MAJESTIE OF SCOTLAND

I am most humbly to kyss your Majesteis handis for your very gracious and loving lettres I received by Capten

Bruse, whose dyspach at the Queenis Majesteis handis I must referr to his owen declaracion for that I my self had obteyned lycence of hir Majestie to vyssett some smale thingis of myne owen in the countrey and therby left him at Court, from whence I dowbt not but your Majestie shall receave a dispatch to your good contentacion.¹ For my none parte I aknowledge my self most exceedingly bounde to your highnes for your many favors shewyd to me and myne. Ther shall no man in this land with more honest devotione seke to doe you all the servyce that may lye in so smale a power than I shall doe, and thus cravinge pardon for this over great boldnes, wyll for this tyme and ever comend your Majesteis prosperous estate to the almightye protectyon, and shall pray that He may alwaies encrease his good grasis and blessingis in you, and with all perfectyoun contynew this good amytie betwene the Queenis Majestie my sufferaine and your Majestie, ever during your lyves.

From Northall a howse of my brother of Warwyke, one very affectionate to doe you service, this 12 of August 1585.

Your Majesteis to doe you servyce, my dewty to my sufferaine reserved.

R. LEYCESTER.

Sir, we are advertysed owt of France that ther be of late certen Jesuyttis aryved in your land, one principall man called Edm. Hay.² For the love of God not only beware of them but lett the world know you detest them. I fear your Majestie shall find matter of their coming.

Original, autograph signature, parts of seal remain, 1 p. Vol. A, 187.

¹ On 20 August the King was 'very perplexed upon the receipt of her majesty's sharp letter delivered to him the night before by Captain Bruce.' The Queen had apparently rated him for his attitude to Arran and Ferniehurst, whom it pleased her to denounce as 'guilty in this matter' of Russell's death. (*C.S.P.*, viii. no. 85.)

² On 22 August there was still uncertainty in Scotland whether Hay and his companion, Dury, had arrived. The King promised 'that all possible dexterity shall be used for their apprehension in case they are in this country.' On the 30th 'it was certain' that they had arrived, and the Master of Gray (himself a suspect) was entrusted with 'the task of apprehending them.' (*C.S.P.*, viii. nos. 93, 100.)

CXXI

S[?]arl[?]abos to James VI.

20 August 1585.

The writer recommends the bearer, Alexander Erskine, to King James. He has lived abroad for fifteen years, faithful to the service of the Queen of Scots; and he has been with the writer for ten years, during which time he has given constant proof of his fidelity. He is an excellent scholar and linguist, and could serve the King well, at home or abroad. He begs James to take Erskine under his protection, so that he may freely settle his affairs in Scotland, and return thereafter to the Duke of Guise, with whom he is at the date of writing. To grant this request would be to augment the writer's zeal in the King's service.

AU ROY D'ESCOSSE

Syre, Il y a quinze ans que ce gentilhomme nommé Alexandre D'Asquin a abandonne le lieu de sa nativite ses parens et les commodites qu'il avoit, meu d'une fidelle affection qu'il a porte au service de la Roynne vostre mere, et dix ans a et plus qu'il c'est retire aupres de moy; durant lequel temps j'ay cogneu quil a tousjours continué en la mesme volonte, monstrant par espreuve certaine tant par parole que deffect et mesme par ses escrips la fidelite quil desiroit garder envers vos majestes, dont j'auseray bien le pleiger encores de mon honneur qu'il persistera: et la ou il plaira a vostre majeste l'employer pour vostre service soit deans vostre royaume ou dehors que dignement il s'en acquietera, estant bien versé es lettres et aux langues diverses. Parquoy je me suis mis a escrire la presente a vostre majeste pour la supplier en toute humilite de recevoir en sa faveur leditt Asquin, affin que soubz vostre protection et ayde il puisse librement negotier ses affaires en vostre royaume pour puis apres (recepvant vos commandementz) retormer vers Monseigneur le Duc de Guyse vostre cousin, a qui il est a cest heure; ¹ qui causera (Syre)

¹ On 15 September, Wotton reported that 'one, Alexander, has arrived with letters from the Duke of Guise to the King, to whom he has daily access. Though the King has shown him the letter, which contains nothing but a general recommendation of Erskine, yet he is informed that the Duke of Guise has given some secret credit, and that the King harkens well to it.' (*C.S.P.*, viii. no. 124.)

que le desir que j'ay de faire a vostre majeste toute ma vie tres humble service s'en augmentera me faisant cest honneur d'avoir agreable ceste mienne requeste a l'endroict dudict Asquin ; et baisant les mains de vostre majeste en toute humilite je prie Dieu, Syre, vous donner en parfaicte sante et prosperite longue et tresheureus vie. De la Houblonniere lieu de ma demeure ce 20 aoust 1585.

vostre treshumble et tresobeissant serviteur

SARLABOS[?]¹

[Endorsed] Cyfre.

Original, autograph signature, trace of seal, 1 p. Vol. B, 520.

Printed in Fraser's *Earls of Haddington*, ii. 34-5, which omits the name of the writer.

CXXII

c. September 1585.

Advyses toward the articles of the league.

Advices gevin to ws be our right trustye and weilbelovit counselour Sir Jhone Maitland of Thirlestaine, knyght, our Secretar toward the articles of a Treatye to be made betwene ws and the Quene of England for a more streyght league then hes bene betwene onye our progenitouris.

These wordes ar mete to be added to the title or inscription before the articles of the ligue (for maintenance of the trew sincer and most ancien Christian religion).

In the secound article (defensive allanerlye).

In the fyft, toward the ayd to be gevin to the Quene (Upon the sayd Quenis owne chairges).

That the ligue may be reciprot this wold be added to the saxt article or put in ane uther article immediatlye thereafter (That in case the invasion shalbe upon the south partes of the realm of Scotland within 60 mylles to the bordours of England the sayd Quene being so requyred by the sayd King shall gather all the forces that possiblye she may mak upon her owne chairges to joyne with the Scottis powar and so to continew the prosecution of the invaders there ayders and abatters the space of xxx dayes or so muche

¹ The signature is partly cut away at the extreme bottom of the page, and is written in isolated letters, some capitals, some small.

longer (yf the case shall so requyre) as the subjectes of Scotland shall tarye on the feildes for the defence of Scotland.)

To the sevint article toward the invading of Ireland wold be added (Onles the subjectis of Scotland being first invaded or having resaved wrong or injurye of the subjets of England or Ireland be not lauffully repared and can not obtene redress by ordinarye meanes).

In the 8 article toward redress to be mayd on the bordouris (since the tyme of the King his coronation.)

For avoyding of all debate and controversye and the better increass of the amitye betwene the two realmes the articles following wold be added immediatlye after the 8 article :—

For the better setlyng of the quyet of the hole Iland and that no controversye aryse at any tyme heirefter for the title or succession to the crowne of England and Ireland, wherebye there majesteis good intention may be frustrat and this halye ligue rendred ineffectuall, her majestie shall sa sone as convenientlye she may assemble the estates and Parliament of England and in the same declare the sayd king heyr apparent and immediat lawfull successour of the crown of England and Ireland yf her majestie shall happen to depart without heyres of her owne bodye, and shall no wayes directlye or indirectlye prejuger or empaire his right and titill nor publiclye or privatlye declaire any uther to succede her in her crowne realmes or dominions.

That for the better increase of the amitye betwene the two realms and subjects therof all of the Scottis nation be naturalized English and as frie danizens in all the sayd quenes dominions, and all of the English nation in lyke maner naturalized Scottis as frie danizens in all the sayd kingis dominions.

To the elevint article toward observing of the former treatyes these wordes wold be added (And that this treatye shall no wayes infringe or derogat to any ligue or treatye betwene there majesteis and any whatsoever there uther freyndis or confederates). And immediatlye thereafter

That in this treatye Henry king of France be expresselye

and specialle comprehended according to the forme and meaning of the ancien ligue and treatyes betwene the sayd King his progenitouris and the kinges of France, yf the sayd king of France shall pleis to be comprehended herein.

To the last article. And that the Quene of England shall caus the same be ratified and confirmed in Parliament of England sa sone as the same may conveniently be assembled.

¹ Thir ar the advyses geaven to us toward the ligue to be betuein us and our darrest sistar the quein of England quhairfo for the guid affection we bear to hir we can not allow.¹

JAMES REX.²

[*Endorsed*] Advyses toward the articles of the League.

Original, 2 pp. Vol. A, 212.

CXXIII

Sir Edward Wotton to King James

16 October 1585.

TO HIS MAJESTY

Royal Majesty, Your letter of the 13th came to my handes this morning, by which your Highnes desireth to know my particular meaning touching my departure. Wherin to satisfy your Majesty I say that my departure being grounded upon the causes mentioned in my former letter, I doute not but your Highnes who is both wise and gracious wil allowe of my meaning. And wheras your Majesty desireth to knowe whether I weare directed by the queene my soveraigne to departe in such sorte, I answer thereunto frankly and trewly, that I had not at that tyme from her any suche direction, though synce she hath

¹ Annotation in a different hand. Signed by James.

² The date is probably about August-September 1585. On 15 September, Wotton reported to Walsingham that 'Secretary Maitland grows very cold in the matter of the league; disallowing divers articles of which formerly he approved.' On the 13th, James promised to Wotton not to make any alterations upon the original articles if Elizabeth guaranteed, 'by means of a signed letter,' not to prejudice in any way his 'pretended' title to the English throne. (*C.S.P.*, viii. nos. 124, 123.)

commaunded me to retyre me self into Englande, her Majesty being thereunto moved (as I think) upon the smale hope she conceyved of the delivery of that wretched Farnherst.¹ Your Highnes last speeches I meane to declare to her Majesty who wil take good houlde of them, and therefore I beseeche your Highnes to be mindful therof: assuring yow that the queene my mistresse wil answere your Majesties loving affection with ful measure. This I dare be bould to say on her parte, bycause I presume to knowe so muche of her mynde. I may not graunt that I departed *insalutato hospite*, seing I perfourmed that office both with my harte and letter: ² but wil by al meanes possible endeavour that my departure shal rather helpe to maintayne then dissolve the amity. Thus beseeching your Majesty to graunte me so muche of your gracious favour as by good and lawful meanes I shal seeke to deserve, in most humble wise I take my leave with kissing your Highnes royal handes.

Anwicke the 16th of October 1585.

Your Majesties to doo al lawful service,

EDWARDE WOTTON.

Original, holograph letter, part of seal remains, 1 p. Vol. A, 188.

CXXIV

4 December 1585.

To all and sundrie the faythfull in Christ Jesus to whose knowledge these presentis shall come we the justicis of the Countie of Cornewall underwriten and the brethren of the exercise of Saltayshe in the said countie wyshe grace

¹ Wotton left Stirling 'quietlie' on the night of 12 October. He had written to the Queen for his recall, and found himself 'in great perplexity' when it did not come. The Banished Lords were mustering on the Borders, and Wotton foresaw that this would put him in a difficult position as he was privy to their plot. On 11 October, Secretary Walsingham wrote to him that 'Her majesty finds . . . that there is small likelihood of the delivery of Farnyhurst . . . and therefore does not think it compatible with her honour to continue a minister in Scotland,' but before withdrawing he was to inform the King of the cause of his departure. (*Calderwood*, iv. 380; *C.S.P.*, viii. nos. 172, 165, and *ad indices*.)

² This letter of excuse and apology was dated 12 October. (*C.S.P.*, viii. no. 167; *Hamilton Papers*, ii. no. 534.)

mercie and peace from God the Father and from our Lord Jesus Christ with the dailye increase of the graces of His spirit for salutation. Seeing it is the dуетie of all Christians to beare record and geve testimonye to the truthe least any doubt or hezitacioun should enter in the hartis of anye, therefore we the said Justicis and brethren underwriten doe testifie and beare record that the berer hereof, Mr. John Couper, mynister of the word of God in Scotland, banyshed from his owne natyve countree for the testimonye of our Lord Jesus Christ,¹ was by the providence of God caste into these partis of the said countie, wher he hath remayned with us by the space of twelf monethes or therabout, duringe which tyme he hath joyned hymself with our mynistris of the exercise aforesaid for the furtherance of Godis glorie and contynuaunce of that worck, and hath taught in our presence at such tymes as were appoyntted to hym, whose doctryne we acknowledge to have bynne sound, and faythfully delyvered according to the puritie of the Lordis truthe and anologie of faithe, who hath also aunswered in his lief and conversacioun to his profession without any publike or common fault to our knowledge, and both in lief and doctrine hath behaved hymself godly and honestly to Godis glorie and our comfortis. And the premisses to be of truthe and veritie we testifie by this our testimoniall, dated and subscribed at Saltayshe above said, the fourthe of December in the xxvijth yere of the raigne of our most gracious soveraigne Ladie Elezabeth, by the grace [of God] of England Fraunce and Ireland Queene Defendres of the Faythe etc.

1585.

RO. CAREW of Antony

ANTHO: ROUS.

THOMAS WYSE.

GEORGE RAITHMUIR.

HENRIE WHITAKER.

PETER WILL maior.

¹ He may have been banished under the Arran administration when others of the ministers fled. The revolution of the Banished Lords made it safe for them to return. This may be the Mr. John Cowper, minister of Edinburgh, with whom the King was offended in 1587. (Calderwood, iv. 606, 630.)

RAYNOLDE BELLETT pastor of Maihinet¹

JOHN JACKSONN Minister of Saltash.

WILLIAM BULL minister of the worde at St. Stephens.

RAPHE ELLYOT pastor of Pilliton.

WALTER TINGCOM teacher of Landrake.

JOHN FOULE pastor of St. Ive.

HENRY WALLIS pastor of Liskerd.

Original, autograph signatures. Vol. B, 61.

CXXV

5 December 1585.

Whereas the bearer hereof Mr. John Cowper minister of Scotland is presentlie to make his repaire home with her Majesteis good favoure and lycence these shalbe in her Majesteis name straightlie to charge and comaunde you and every of you to whome it shall appertaine to suffer him quietlie to passe from place to place without anie your lett search or molestacioun whereof faile you [*sic*].

Dated at Richmond the vth of December 1585.

FRA. WALSYNGHAM.

To all her Majesteis Wardens of the borders against Scotlande and to their deputies and to all Maioris Justices of the peace Shiriffes Bayliffes and other her Majesteis officers and lovinge subjectis to whome yt shall appertaine and to everie of them.

Original, autograph signature, $\frac{1}{2}$ p. Vol. B, 60v.

CXXVI

6 December 1585.

To all and sondrie the faithfull in Christ Jesus to whose knowledge these presentis shall come, we the persons underwritten wish grace mercie and peace from God the Father and from our Lord Jesus Christ with the dayly increase of the graces of his spirit for salutation. Seing it is the duty of all Christians to beare record and geve testimonie to the truth, least any doubt or hezitation shuld enter

Possibly Menheniot.

in the hartes of any, therefore we underwritten doe testifie and beare record that for the advauncement of Godis glorie and zeale we had to the furtheraunce of the kingdom of Christ and edificacion of us and our familie in the feare of God and knowledg of our salvation we did agre with the bearer hereof, Mr John Couper, minister of the word of God in Scotland (being banished from his native country for the testimonie of the Lord Jesus Christ) to abide and remaine with us in our familie to teach and instruct us in the pointis of our salvation and to break the bread of liffe unto us for the furtheraunce of our knowledge therinto, which he hath done for the space of a yeare or more, during the which space he hath opened up to us the word of God thrise a weeke faithfullie and truly to our comfort and consolation in Christ Jesus; and hath also behaved hymselfe in his liffe and conversation godly and honestly amongst us without any publicke or common fault to our knowledge; and so both in liffe and doctrine hath gone before us to the glory of our God sealyng up of his doctrine and confirmation of us in the truth and veritie. And these thingis to be of truth and veritie we testifie by this our testimoniall, dated and subscribed at Halton the vjth of December in the xxviijth yere of the rainge of our most gracious soveraigne Ladie Elyzabeth by the grace of God of England Fraunce and Ireland Queene Defenders [*sic*] of the Faith etc.

1585.

ANTHO: ROUS.

ELIZABETH ROUS.

Original, autograph signatures, 1 p. Vol. B, 61.

CXXVII

Walsingham to Maitland

23 January 1585-6.

TO THE RIGHT HONORABLE SIR JOHN MATLAND, ONE OF THE
KING OF SCOTTIS PREVY COUNSELL [AND PRI]NCIPALL
SECRETARY TO HIS MAJESTY

Sir, the King your master hath yeldid her majesty so good assuraunce both by his owne lettres and by this gentle-

mans¹ reporte of his sound and constant disposicion to enterteyne good frendshippe and correspondency with her as she doth rest greatly satisfyed withall and hath now, I can assure you, forgotten all mistrustis and jealousyes that former accidentis and proceedingis had any way given her cause to conceive; so as both princes standing presently thus well disposid to knitt themselves together in perfect frendship and mutuall good intelligence for the generall weale of this whole Iland and their owne necessary defence and safety, I doubt not but that thorough the carefull travell and endeavour of their well affectid ministirs there will followe that good therof that all honest men do wish. Some disorder of no smaule consequence is said to have ben of late committid in that realm by the Earle Morton,² which is interpretid by some malitiously disposid to be don with the sufferaunce and wincking of the King your master, who I doubt not will therfore be the rather inducid thorough your owne good meanes and persuasions to take such order of redresse therein as may be for the advauncement of Godis glory and his own honnour. Some thinges I have reservid to this gentlemans reporte wherein yt maye please you to geve him credit and to assure your self of the due perfourmaunce of that which I have promisid. There is now choice made of Mr Randolph, a gentleman not unknounen to you, to repeire into that realm about the negotyacioun of thintendid league. I pray you be a meane that he may be welcum thether notwithstanding former hard conceytis that maye have ben bred of him by thindirect practises of

¹ Apparently Sir William Keith, whom James sent on 26 December 'to the English queen to invite her to come to a conclusion upon the subject' of the League. (*Letters of Elizabeth and James VI.*, 24 and n.; Camden Society.) Tytler says that Keith was despatched to ask Elizabeth to send an ambassador to work for the conclusion of the treaty. (*History*, viii. 244.) He was at the English court early in January. (*C.S.P.*, viii. no. 236.)

² John, eighth Lord Maxwell, titular Earl of Morton. (*S.P.*, vi. 388-389, 482-483; *A.P.*, iii. 259; *P.C.*, iii. 734.) In October 1585, James meditated a raid in person 'for repressing of the insolence and tressonable proceedingis of the Lord Maxwell.' The expedition was not carried out, but, a few days before the writing of this letter, Morton was tried before the Privy Council and warded as a papist. (*C.S.P.*, viii. no. 159, p. 123; *Border Papers*, i. no. 407.) He was shrewdly suspected of acting in connivance with the Banished Lords.

ill instrumentis,¹ for I assure you her majesty could not have made choice of an apter ministir for that chardge in respect of his honest meaning and sound disposicion to further a good union and frendship betwin the two realmes, as by th' effectis of his actions and proceedingis will further appeare yf he be usid thereafter, and so I commit you to God. At Greenwich the xxijth of January 1585.

Your assurid frend to commaund

FRA: WALSYNGHAM.

Original, autograph signature, trace of seal, 1 p. Vol. A, 209.

CXXVIII

Walsingham to Maitland

11 February 1585-6.

TO THE RIGHT HONORABLE SIR JOHN MATLAND, KNIGHT,
PRINCIPALL SECRETARY TO THE KINGIS MAJESTY OF
SCOTLAND

Sir, as one that would be glad to enterteyne good correspondency and frendship with you I have committid unto my frend Mr Millis² some thingis to be imparted unto you which I thincke meete you should be made acquaintid withall. And I do the rather make choice of him to use him therein because I fynd him to carye a great affection towardis you, having also made very good reporte unto me of the lyke which he sayeth he hath found in you towardis me. And so praing you to geve credit unto him in that he shall say to youe from me, I commit you to God. At Greenwich the xjth of February, 1585.

Your assurid frend to command,

FRA: WALSYNGHAM.

Original, autograph signature, trace of seal, $\frac{1}{2}$ p. Vol. A, 210.

¹ The King had a 'dislike' for Randolph, because he had taken measures 'for the relief of the Earl of Morton.' (*C.S.P.*, viii. no. 236.) The reference is to his embassy on behalf of the fallen Regent in 1580. (*H.J.S.*, 183.) Randolph arrived in Edinburgh on this new mission on 26 February, and had audience of the King on Monday, 28th. (*C.S.P.*, viii. no. 293.)

² Thomas Milles was a highly esteemed agent of Wotton, who sent him with a report to the government in July 1585. (*C.S.P.*, viii. nos. 11, 31, 38.) At the date of this letter he was about to return to Scotland in the train of Randolph. (*Ibid.*, 293.)

CXXIX

Maitland to Walsingham

3 April 1586.

He professes himself well disposed to the league; and complains that his efforts to promote it have brought him unpopularity at home, and have been misconstrued in England. He thanks Walsingham for undertaking his defence, and for the 'credit' delivered by Mr. Milles. Walsingham's recommendation of Randolph has been efficacious, and in spite of opposition the King has proceeded further in the league than is pleasing to many of his subjects. He remits particulars to the credit of the bearer.

In a postscript he asks Walsingham to see to the expedition of 'a forme of securitye to be made to the king.' Halyruidhous the 3 of Aprill 1586.

Endorsed as a copy, but apparently a draft, unsigned,¹ 1 p. Vol. A, 220. Calendared in *C.S.P.*, viii. no. 335.

CXXX

[c. April-June] 1586.

Copie of the securitie craved onder the greit seill of England.²

Elizabeth by the grace of god Queene of England etc. To all and sundrye to whose knowlege these our lettres shall cum greating. Quhair as it hes pleased allmyghtye God of his infinit mercye in these daingerous dayes to bliss the two kingdomes in this iland with the light of his holye evangell and puritye of religioun and such a happye peax and amitye continewd since the beginnyng of our regne as seldome or never hapned in any former age, and having

¹ The signature may have been cut away when the foot of the page was trimmed. Part of the postscript is awanting; but is supplied by the printed Calendar.

² Endorsement.

also made us and our darrest brother and cousing James the saxt King of Scottis not onlye narrest in vicinitye and proximitie of blood, bot also in a most luiffing and assured guid will and freyndship, disposed mutuallie to entreteyne the same by all convenient offices of favour and good nyghtbourhead, so that for the greater suirtie of our crownes and persones and better mainteance of the said trew and most ancien christiane religioun (forreyne prynces and potentates termynge thame selves Catholyques being conspyred for the extirpation therof) we ar entered in a more streight league and confederation then hath bene betwene anye our progenitours heiretofore: And having had a speciall and motherlye cair over our said darrest brother and cousing ever since his byrthe, respecting him as our owne sone, and for his preservation and libertie of his realme nather sparing our tresour, blood of our subjectis nor hasarde of our croune, and finding the thankfull disposition and kyndlye dealing of our said darrest brother and cousing now approching the yearis of his majoritie to correspond and fullye satisfye our expectation and long conceaved good houp of him: In testimonye of the continewance of our cair and affection toward him and what favour and speciall regarde we have unto him we doe heirbye bind and obliiss us in the word of a Queene to yeald to him during all the dayes of our lyfe a yearlye rent of

Crounis of the sunne a sowme surmonting that which wes granted by the King our darrest father (of most happye memorye) unto ourself or to the queene our late sistar, to witnes therebye we holde him no les deare and have no les cair of him then our said father had of us or our umquhyll sistar, whiche some we faythfullye promise to cause be thankfullye payed and delyvered yearlye together and at ones within the burghes of Edinburghe to our said darrest brother and cousing or his attorneyes having his power to resave the same the day of , beginnand the first yeares payment the day of nixtocum. Furthermore for the more effectuall declaration of the sinceritie of our good meaning toward our said darrest brother and cousing the King of

Scottis and respecting him with that naturall affection and entier good will which we have alwayes uttered toward him, as also moved of conscience and equitye (wherewnto we have alwayes proposed to conforme our hole actions and proceedingis) do heirbye declare and in the inviolable word of a Queene and our great othe doe faithfullye promise and solemnlye sweare that we nather have in anye tyme past nor shall herefter by act law constitution or interpretation of any former [*sic*] or by instrument testament or uther writ or utherwayes directlye or indirectlye publiclye or privatlye prejugge empare hurt or derogat to whatsumever ryght tytill or enteresse our sayd darrest brother and cousing hes or may pretend or acclame to the succession of our croune realmes and dominions (yf it shall please God that we have no heys of our owne bodye), nather shall we declare any other to succeid us in our croune realmes and dominions or suffer our said darrest brother and cousing his ryght or title to be prejudged empared or derogat onto in any sort to prejudice harme or hinderance of him or his posteritye, onles by his public misbehaviour or manifest ingratitude (which God forbid and we cannot be induced to suspect) we be justlye moved to the contrarye. In witnes wherof to these our patentis signed with our hand our greit seill of England is appended.¹

1½ pp. Vol. B, 321.

¹ A letter from Cecil to Randolph at the beginning of June seems to have a bearing upon this document. It refers to the grievances of the Scots. 'The first is that the sum of money, 4000 l., was less than was looked for; the second, that the instrument sent in writing for assurance to that King, as well as of the pension, as also that nothing should be done to the prejudice of his pretended title, was not signed or sealed by her majesty. I am to let you understand her majesty's commandments, what she would have you answer thereunto. First, her majesty avows that she never assented to any greater sum than 4000 l., and, as it is true, it is more by a thousand pounds than either herself or her sister, Queen Mary, had assigned to them by their father. . . .

'But her majesty . . . did by her letter of 26th of April to that King clearly declare her mind as well for her care of his safety and for helping his need, as also for the late clause required by the said instrument concerning the King's satisfaction that he should not fear any acts done by her majesty to damnify him in any sort.' (C.S.P., viii. no. 467.)

CXXXI

Walsingham to Maitland

29 April 1586.

He is glad that, in spite of the 'malitiously bruietes' circulated against him, Maitland is still anxious to further the league. Exhorts him to perseverance, and assures him of his support against all calumnies. Thanks him for his kind reception of Mr. Randolph, with whom the King 'taketh so well.' He is glad of this, and recommends both Randolph, and Milles, the bearer of this letter and of a message of credence.¹ 'From the Cort at Greenwich, the 29th of Aprill 1586.'

Signed: FRA. WALSYNGHAM.

Original, autograph signature, addressed, trace of seal, 1½ pp. Vol. A, 234.

Calendared in *C.S.P.*, viii. no. 368.

CXXXII

[c. 29 April] 1586.

An answeare to be made by Mr. Thomas Mylles to the Lord Secretarie of Scotlandes Memoriall.²

You shall assure the Lord Secretarie of Scotlande that he shall not finde me easelie drawne uppon sleight reportes and informations growinge either out of faction or mallice to condempne men of his judgement and wisdom, but to reserve accordinge to the rule of justice an eare for him, in hoape he will yeald me the like measure. And as touchinge the jealousies conceived of him, you maie tell him that it is a thinge incident to the place we both holde to be subjecte to the like mishappes, which can no waie neither greive nor hurte us so as a good conscience doe guyde the sterne of our actions.

¹ He probably brought back the 'answeare . . . to the Lord Secretarie of Scotlandes memoriall.' See following document.

² The 'memoriall' which Maitland sent by Milles is printed in *C.S.P.*, viii. no. 332. He also demanded three additions to be made to the articles of the league. (*Ibid.*, 377.)

That he shall understand from Mr. Randolphe what reparation her majestie doth requyre,¹ which I hope he will find to be such as her majestie cannot in honor but requyre, and the Kinge his master cannot in reason denie, and therefore it is looked for that he will (as one that tendreth his masters honor) yeald therein all the furtherance he can.

It is nothinge doubted but that the kinge his master will rest satisfied with the securitie that is nowe sent by you sett downe with her majestes owne hand in her letters sent unto him.²

That, touchinge the articles suspended and not resolved on, it is hoaped (after the league shalbe concluded) that the goodwill betweene both princes will receive that encrease, as no reasonable demande wilbe denied by either of them so farre fourthe as maie stand with the pollicie of both realmes.

That he shall find me most readie to keep good correspondence of letters for the continewance and encrease of mutuall amitie betweene both our Sovereignes.

Order shalbe taken by the marshall and the rest of the officers at Barwicke for the conveyance of such letters as shall passe betweene us.

Original, or fair copy, 1½ pp. Vol. A, 211.

CXXXIII

Maitland to Walsingham

[16 May 1586.]

The King has proved himself worthy of 'most kyndlye dealing,' and expected full satisfaction in all things reasonable, particularly in the matter of a guarantee that his

¹ Presumably 'for the Queen's better satisfaction for the murder of Lord Russell.' (*Ibid.*, 332.)

² James 'found it strange to receive such a letter.' He had already acceded to all Elizabeth's terms, and the money for his subsidy was at Berwick, but after reading the letter, he sent Secretary Maitland to show Randolph how he had subscribed the league in spite of much opposition. Then 'having lost all other princes' affection and put himself in her majesty's hands, he finds that what was promised is not performed.' Randolph offered 'the league subscribed by the Queen, but was begged to keep it for a time.' (*Ibid.*, 394, 405.)

title to the English crown should in no way be prejudiced. Instead of this he received a holograph letter from the Queen 'uttiring more diffidence in him and reproche to his counsellours then conteaning good securitye of the indemnitye of his titill.' The perils that threaten both sovereigns require them to come together trustfully in 'a mutuall amitye and inward freyndship.'

The sincerity of the King's action is beyond suspicion, and Maitland begs Walsingham to inform him if he ever has occasion to think otherwise. His own 'cairefull zeill' in his Majesty's service and the burden of responsibility compel him to expostulate with Walsingham.

Parliament has devolved discretionary power upon the King, who has used the councils of Maitland alone. If the Queen's terms are prejudicial, parliament may either refuse to ratify the league or else give it a grudging obedience. It therefore behoves the Queen to be bountiful in 'the securitye of the kinges titill and yearlye gratuitye,' and in other controversial articles. Maitland implores Walsingham to use his 'wit and credit in this behalf.'

Copy, unsigned and undated, 1½ pp. Vol. A, 221. Another, complete copy or draft, endorsed with date, in 2 pp. Vol. B, 330.

Calendared in *C.S.P.*, viii. no. 406.

CXXXIV

*Mary Queen of Scots to Paget*¹

20 May 1586.

With an 'infinite number' of other letters in cipher, I received five of yours, dated 14th January, 7th May, 24th July, 31st July, 1585, and 4th February 1586. As, however, they have but recently arrived, and all at one time, I have not yet been able to have them all deciphered, and so, since my departure from Wingfield, I have been entirely without intelligence of foreign affairs. It is very difficult for me to take any definite steps to re-establish my own

¹ Charles Paget, an agent of Mary in Paris, a fellow-conspirator with Morgan. (See Pollen, *Babington Plot*, and *D.N.B.*)

fortunes here. I can think of no other means except the King of Spain who, now that France is too much occupied to interfere, might seize the opportunity to revenge himself upon the Queen of England for the 'attempt' on the Low Countries and the expedition of Drake.¹ I wish you to endeavour to ascertain either by X² during his abode in Spain, or by Mendoza, whether Philip does intend to attack England, which seems to me the best way to rid himself finally of Elizabeth's 'malice against him.' Now the King will be constrained to adopt the plans formerly proposed by Don John of Austria,³ who always maintained that there was no other way to restore the fortunes of Spain in the Low Countries and to safeguard all the other Spanish dominions than by 'reestablishing this realme' under a friendly, Catholic prince.

Lest, however, before embarking on this enterprise, Philip should deem it necessary to assure himself of the assistance, or at least the neutrality of Scotland, I have thought good for you to make the following overtures to E.⁴ I shall endeavour to secure the co-operation of my son; and if this fail, I will promote 'a secret band and league,' whereby the chief Catholic lords and their adherents shall carry out the designs of the Spanish king, on condition that he grant their demands with regard to men and money. The charges are not likely to be great, since there are 'men enough' in Scotland, and little money goes a long way there.

Moreover, for the greater security, I will take steps to have my son delivered into the hands of Philip or the Pope, on condition that he be restored to full liberty at my request, or, after my death, at his own desire, 'himself being catholique': and in such case the King of Spain shall attempt nothing to the prejudice of myself or my son in the succession to the English crown.

¹ Leicester's government in the Netherlands, and Drake's expedition to the West Indies in 1585.

² Cipher to designate Lord Paget.

³ Don John of Austria, Governor of the Low Countries, illegitimate brother of Philip II., died 1578.

⁴ Cipher to designate Mendoza, the Spanish ambassador in France.

Besides giving my son as a hostage, a regent must be established under our joint commission to govern Scotland in his absence; and the most fitting person for this office is Lord Claude Hamilton.¹ To avoid jealousies and to strengthen his authority he must govern through a council of the principal lords.

I should be greatly indebted if the King of Spain would cause my son to be converted to the Catholic religion, for I desire 'a great deale rather the salvacion of his sowle than to see him monarque of all Europe.' I greatly fear that so long as he remains in Scotland, I shall never be able 'to bringe him in againe to the right waie.'

If Mendoza looks favourably upon these overtures, and gives you the hope of a good answer (which you must insist on having speedily), I wish you to write to Lord Claude, informing him of the Spanish king's designs on England and his desire that the Scottish catholic lords will at least prevent any help from being sent to Elizabeth. You shall beg him to sound the minds of likely adherents, so that you can reveal the whole design to them, and then Philip will know for what assistance he may look, and what succour of men and money they would require to hold Scotland. Ask him, moreover, to tell you the names and the forces of those who enter this band; and let him clearly understand that you make these negotiations by my authority. Your first letter, however, should be merely tentative: not until you have received a favourable answer from King Philip should you openly disclose the design to Lord Claude. Then you shall show him that it will be necessary to seize my son, if he do not willingly consent to the enterprise; and that it would be best to hand him over to the King of Spain or to the Pope. Lord Claude himself should be appointed lieutenant general and regent, and, if possible, I should not 'be thearein named untill thextremitye.' You must use persuasion with him by assuring him 'of my good will towardes him and his house'; you must promise

¹ Lord Claude Hamilton returned to Scotland from France at the beginning of 1586 as an agent 'to set forward the matter of the association so long deferred.' (*C.S.P.*, viii. no. 243, p. 195.)

to try to obliterate 'all remembrance or greef of his brother the Lord of Arbrothes proceedingis,'¹ and hint that I shall have him declared lawful heir to the crown of Scotland, should my son die childless, and that I shall cause the Catholic rulers to uphold his title.

This is all which at present I can undertake with regard to Scotland; and I charge you straitly to keep everything a profound secret from English, French and Scots. You must also charge Bernardino² to secrecy, and beg Lord Claude not to disclose the author of these overtures.

I have heard that last year 12000 crowns were assigned to my son.³ Advise the PS⁴ to divert them to the 'negotiation of this enterprise,' for the last assignment 'was right evill dispersed and employed.'

Chartley, this xxth of Maye 1586.

At present I cannot write directly to Lord Claude for want of a cipher.⁵ I now enclose one for you to send to him. I have lately received your letters of 10th April 'with the wholl mentioned thearein,' but I have no leisure to reply as the bearer is in haste to depart on this day prescribed. The answer I shall send as soon as possible. As for Lord Claude's cipher, 'I am even nowe putt in hope of a meane of convoye direct from hence to Scotland,' whereby I intend to send the said cipher. In the meantime I must assure you that I intend to continue your pension 'in ready paiment.' As for the part that K⁶ played

¹ Lord John Hamilton, commendator of Arbroath. He was a partisan of the English faction, and joined the enterprise of the Banished Lords in October 1585. Part of Lord Claude's mission was 'to bring back his brother' to the French side. (*C.S.P.*, viii. *ad indices*.)

² Don Bernardino de Mendoza.

³ In May 1586, Mary wished the bishop of Glasgow to convey her thanks for the 12,000 crowns which the King of Spain had granted to her son, but she did not wish the money to be delivered until she should be sure of his fidelity. (Labanoff, vi. 296.)

⁴ Cipher for the Spanish ambassador.

⁵ Nau, Mary's secretary, drew up her letters under her instructions, and they were then translated or cast into cipher by Gilbert Curll. (Pollen, cxlvi-cxlvii.) After the seizure of Mary's papers, on the arrest of Babington, these incriminating letters were used to intimidate the secretaries into a confession.

⁶ Morgan,

when de Cherolles¹ was here, he can inform you if he will.

¹ Gilbert Curles subscription as followeth.

This letter I had first written by the Quene my mistress owne hand and gave it hir againe, which was first written in Frenche and after translated by me Gilbert Curle, 2 Sept. 1586.

[*Endorsed*] Copy of Charles Pageat his lettir.²

Copy, 5 $\frac{1}{4}$ pp. Vol. A, 214.

Printed by Labanoff, vi. 313, whose version contains certain paragraphs omitted in the Warrender copy. Calendared in *C.S.P.*, viii. no. 417.

CXXXV

Randolph to James VI.

8 June 1586.

TO THE KINGES MAJESTIE OF SCOTLAND.

Usinge that boldenes that your Majestie commanded me, as when I sawe good cawse that I sholde wryte unto your Majesties selfe, I am bolde at this tyme to signifie unto your hyghenes that I am in greate hope that the malice of livinge men shall never be hable to overthrowe the good wyll of the Quene my Sovereigne towards your Majestie. As yt hathe longe hanged in suspens thorowe the practizes of suche as nether love your Majestie nor her, so ther muste be some tyme geven with patiens and cuninge to overthrowe their contrivede mischeife agaynste you bothe. As I truste your Majestie will accepte thes two lettres from her in good parte, so humblie I beseeke your Majestie that as theye are but tokens of farther kyndenes, so lette them be frendlie and kyndlie accepted in the syghte of your hyghenes, whom the God eternall prosper keape and defende as moste worthy

¹ The Sieur de Chérelles came on a mission to England in 1585. He was with Mary in March and returned to France about the beginning of April. He asserted that his object was 'to establish her service . . . cost what it might.' (*C.S.P.*, viii. no. 307, p. 279 and *ad indices*.) Teulet stigmatises him as 'un miserable qui rendait à Walsingham la correspondance de son maître [the French ambassador] et qui fut un des principaux instruments de la perte de Marie Stuart.' (Teulet, ii. 819 n.; cf. Labanoff, vi. 26-27.)

keaper of his lawe and defender of his worde to your lyves ende.

Maye it please your Majestie to gyve credit unto this bearer Thomas Milles¹ as to my selfe. At Barwicke the 8 of June 1586.²

Your hyghenes as in duetie I maye before all other

THO: RANDOLPH.

Original, holograph letter, 1 p. Vol. B, 326.

¹ On receiving a letter from Walsingham, Randolph sent Thomas Milles to deliver the Queen's letters to James. On receipt of a second letter from Walsingham, on 10 June, he sent 'the league in form as it must pass and copy of the commission . . . to Thomas Milles to Edinburgh to be shewn unto the Secretary.' (*C.S.P.*, viii. no. 459.)

² Randolph had gone to Berwick as one of the English commissioners for the conclusion of the league on 5 July 1586. (*C.S.P.*, viii. *ad indices*.) The text of the league is printed in Rymer, *Foedera*, xv. 803.

Nos. CXXXVI-CLXIX: INTRODUCTORY

THE thirty-four documents in this section derive a unity of interest and of subject from the fact that they are all concerned with the fate of Mary Queen of Scots, and fall within the four months intervening between her conviction and her execution. The first document is a detailed, if somewhat inaccurate, report of 'the proceeding at Fodringshame castell aganis the Quene of Scottis'; the last three give circumstantial accounts of 'the mannour of the executione,' and a eulogy to her memory. Much more important are the remaining papers, which deal with the negotiations to save the life of Mary.¹

It is clear from the diplomatic correspondence that two considerations were of the utmost importance during these critical months. For James, the main point was the question of the English succession; for Elizabeth, the maintenance of the Anglo-Scottish league. It is significant that the sentence against the Queen of Scots followed hard upon the conclusion of the league. Elizabeth professed to have 'borne so many thingis' at the hands of Mary that she could 'not any longer' delay proceedings, lest she 'sould forget the caus of God and beir the suord in vaine' (No. CXXXVI). Her endurance, it would thus seem, came to an end two months after she had formally secured the alliance of James.

The Papers show that there was, indeed, a national determination in England to have the life of Mary as being

incompatible with the public safety. In popular drama she was brought 'in a rope to the Quene of England in derision' (No. CLXIII), while the Council, more decorous, doubtless, in its bearing, was equally obdurate and bitter in its attitude. They refused to consider the Scottish overtures, when Elizabeth herself seemed inclined to listen to them.

The proceedings against Mary were, however, of more than domestic import, because Catholics, at home and abroad, reposed 'thair onlie hoipe in hir for the erection of thair religione' (No. CXXXIX). Hence the results might be serious should James carry out his threat to break off friendly relations with England as a protest on behalf of his mother. It was for this reason that the English government were prepared to be conciliatory in the 'mater concerning the titill' (*ibid.*), if he did not intercede too earnestly for Mary's life. Douglas, an accredited ambassador, allowed Leicester, whom he stated to be the most influential man in England, to believe that his Majesty 'wald nevir break notwithstanding onye report, if the fault shuld nocht be founde in thame selfis' (No. CXLIII). James, aware of this representation, wrote a private letter to Leicester, thanking him for having modified the 'planenes' of his letter of protest to Elizabeth, and confirming the impression that he would not 'preferre [his] mother to the title' (No. CXLVIII). Armed with this secret knowledge, the English government felt strong enough to proceed to extremities. Thus, when the Scottish ambassadors presented James's 'overtures,' these only moved Elizabeth to 'a great disdayne.' She bade them tell their master 'that I mynd to kepe the league that standis now betwene us, and if he brak, it shalbe a double falt'; and she added the insult of mockery (Nos. CLVI, CLVII). What faint hope still remained for the success of the embassy was finally shattered by renewed reports that the King was not in

¹ These papers were printed in full, with narrative and commentary, under the title, *King James's Secret*. (Nisbet and Co., 1927.)

earnest: that he acted 'perfunctorie,' and could 'with tyme digest the worst' (No. CLXI).

There was 'knaifrie dealing' in the camp (No. CLXIII). The activities of 'our awne Sir Alexander Stewart' were a 'great disgrace' to the official ambassadors, and reflected adversely upon the King himself. It is doubtful how far Stewart was fulfilling 'his hienes mynde,' and how far was pursuing his own interests (Nos. CLXI, CLXII). But it is certain that James did not choose his agents well. Of the four ambassadors, Gray was a notorious double-dealer, 'none so veil lykit of in England': Douglas was 'ane serpaint in ane manis lyknes' (Nos. CLII, CXLVI). Keith and Melville were earnest and indefatigable, but all their efforts were frustrated by the dexterous duplicity of their colleagues, if not by the apathy of their master.

What were James's real feelings the Warrender Papers do not enable us to determine. He made a strong plea for his mother, as the dictates of honour and shame and of filial piety demanded: but he shrank from taking the final step of a break with England. The state correspondence, here contained, does not reveal all the reasons that eventually caused him to sacrifice his mother to 'the title.' He endeavoured to secure his claim to the English succession, and also to save his mother's life; but he, no less than his ambassadors, must have been aware that the two aims were 'sumwhat repugnant and incompatible' (No. CXXXIX). Thus, it is said that the sentence against Mary had inflamed public opinion in Scotland (No. CXL), but it is not shown how far the country, impoverished and faction-ridden, was in a fit state to go to war. James may genuinely have felt unable to take up arms: and he may already have thought that he would not be master in Scotland until he could rule it by the pen from London, with the resources of the more powerful kingdom at his back. Again, the Scots envoys felt in honour bound to

'say no less than the French ambassador' (No. CLVII); yet Keith mistrusted Bellièvre, suspecting that he would be willing to abandon Mary to secure the support of Elizabeth against Spain.

No country, in fact, was prepared to sacrifice its political interests to save the life of the condemned Queen. Mary herself might profess 'to dye christianlyke,' shedding her blood for the 'ancient catholicke Romane religion,' but the Lord Treasurer of England told her bluntly that she was convicted not for conscience' sake but on charges of political conspiracy. Although the Warrender account of the proceedings (Nos. CLXVIII, CXXXVI) at Fotheringhay is somewhat confused in details, yet it does make clear the unhappy pass to which things had come. The accusations against Mary and her counter-accusations against the English ministers are unpleasant reading. It is significant that Walsingham, in his justification, drew a distinction between private and public morality (No. CXXXVI). The government for state purposes used and manipulated conspiracies to force matters to an issue, alike in the case of the Babington Plot and in the later allegations against the French ambassador. Both Mary and her accusers played with the same edged tools, and used the same chicanery in their self-justification.

There is much that jars in the passages between them. Mary well knew the strength of her position: 'that scho wes ane frie prince and borne Quene, not subject to ony bot to God,' but she barbed her 'protestatioune' with bitter satire: 'as for the courtesie that the Quene schew hir, geving her licience to speik for hir self, scho thankit the Quene for that grace quhilk wes proper to the vorst malefactour in England in judgement to defend them selves, being accused.' Again, when charged with complicity in the Babington Plot, in mockery 'scho bowit hir self and smyllit and said that ves verie inlicklie considering both

hir meanes and inhabilitie be reasoune of hir strait captivitie' (No. CXXXVI).

When the fatal day came, she died 'most resolutlie,' as became the daughter of kings, of royal and ancient stock, kinswoman of all the greatest princes of Europe (Nos. CLXVII, CLXIX). Yet in this supreme moment one feels that she was acting a part, conscious that the eyes of Europe were upon her. It is noteworthy that she wished her servants to attend her to the end, so that they might 'behold howe patientlie theire Queene and Mistris shall endure her execution, and that therby they may be able to make relacioun when they come into theire cuntries howe I died a true constant catholicke in my religion.' There was much that was theatrical, as well as much that was courageous, and something that, from a modern standpoint, was unworthy, in the manner of her death.

It was doubtless the part of a martyr to pray 'for Crystis afflicted church . . . for hir sone that he nicht trewlie and uprichtlie be convertit to the catholique Romische church . . . that the quenes majestie nicht long and peciablie prosper and serve God,' for the welfare of her own soul and for the prosperity of 'this sillie Iland' (No. CLXVII). On the other hand, there was an air of ostentation and aggressiveness about her attitude. Both sides, however, showed a lack of christian charity, which was a reflex of the time and circumstances. The assistants at her execution had no patience with her 'superstitious trumperie'; they imposed their services upon her while she refused to listen to them, and drowned their prayers by herself praying 'mutche lowder in the Latine.'

This was a final manifestation of her dauntless spirit; 'and then lay scho doune verrie quietlie,' committing her soul to God. It is pleasing to think that she held the loyalty and affection of her servants till the last, and that after she was dead her little dog 'would not depart' from

the body of his mistress. She died, lonely, and forsaken by her son and nearest kindred, but surrounded by the love and devotion of her domestic circle. In the sphere of politics, religion, and personal ambition she had played for high stakes and had forfeited her life; but the magnetism of her personality endured until the end, and after death.

CXXXVI

[11-14 October] 1586.

The proceeding at Fodringhame castell aganis the Quene of Scottis.¹

The Commissioneris :

L. Chancellor	L. St. John Blesoe
L. Thesaurer	L. Comptoun
E. Oxfuird	L. Chenie
E. Kent	Sir Valter Myldman
E. Derby	Sir Ralf Saidler
E. Worchester	Sir Chr. Haltoune
E. Rutland	Sir Francis Valsinghame
E. Cumberland	Sir Ja: Alcroft
E. Varveik	Sir Thomas Gaudie
E. Lincolne	L. Cheif Justice of England
E. Pembrok	L. Cheif Justice of the com-
Vicount Montacute	moun place
L. Aburgarey	L. Cheif Barroune
L. Souche	Justice Peryan
L. Morley	Doctour Dale
L. Stafford	Doctour Ford
L. Lumbley	Mr Actornay
L. Sturton	Mr Solicitar
L. Sandis	The Quenis serjand
L. Vontvorth	Barker } notaris.
L. Mordent	Vheler }

So sone as the lordis hed arrayvet thrie houris since, the commissiounne frome hir Majeste ves red to the lordis comissioneris, from the grit caus groundit upon the act of the 27 of the Quene, authorizing them to examine sutch persounes as stuid suspect for ony pretence of or practise

¹ 11 October (Camden, *Annals*, 312; third edition, 1635). An account of the proceedings at Fotheringay is printed by A. F. Steuart in *Trial of Mary Queen of Scots*, p. 22 *et seq.*

aganis the Quene, the tenor quharof is easie to be knawin in the bulkis of the statutes; ¹ all menis voces ar frie and of equall powar. Thus red, it ves thocht convenient in the consultatioun by them all to send the Quenis Majesties letter of credit to the Quene of Scottis; quhairby nicht appeir the caus of thair cuming, the autoritie and intentioun to call hir before them. The messengeris var appoynted Mr Chancellor of Exchequer and Barkar quhais office it ves to conceave the answer to the lordis upon the delyverie of the letters and to retreit hir answer simple without ony treatie or conference. The answer was thus delyverit verbatim.²

It is no small greiff to me to think how hard the Quene doeth use me eftir my long miserie of imprisonment and indispositiounne of my body to stand suspected of my integrity quhairof I have gewine so grit and perfytt testimonie. I have not, as it is veill knawine, stuck to adverteis the Quene of many thingis daingerous to hir estait and persoune, quhairin I wes not only neglectit bot unjustlie condemnit by the malice of sum of my great enemies, quhairof I have nocht vantit of the michtiest. I have beine contentit with ony cours the quene vould hold with me, altho I veill perceaved quhair first the instrument of associatiounne wes disgested, quhat way they meanit to tak with me. I feir it standeth me upon to cair for my self, seing my paiperis ar gone frome me, my servandis seques-trat and my self unaquented in the lawis of the realme; and suir I am no man sall be allowet to speik for me. To awoyd therfor the prejudice I mycht do to other princes, my self, and my sone, my answer is thairfor that I allow nocht hir comissioneris for my lawfull peiris. And thairfor am nocht to be delt with bot by sick as my self, absolute princes; and quhatsumevir can be discovered of forrane

¹ November 1584. 'An Act for Provision to be made for the Suertie of the Queenes Majestie's most Royall Person, and the continuance of the Realme in Peace.' 'Any person pretending Title to the Crown' was to be 'excluded and disabled' from all such claim, if found to be the fomer of rebellion or disturbances. *Statutes of the Realm*, iv. (1), 704-705.

² Elizabeth's letters were delivered to Mary on 12 October. The substance of 'Mary's First Answer' on this occasion is summarised in *C.S.P.*, ix. no. 87.

private powar practised in this land or quhat evir sort of disconted [*sic*] honour may vork, the same can not be layid to my cherge quho hawe gewin ower quhat cours soevir and hawe remittit the estait of me and myne to the consideratioune of other princes to be takin against the Quene. I have not offendit; I confes for the catholiques delyverie frome thair persecutioune I hawe sent and vrocht, and gewe I could with my blood sawe thair destructiounes I vald, and gewe it micht be so, I pray lay it upon me. And thairwith scho weiped.

The lord thesaurer said,¹ Madame, the Quene puttis no man to deth for ther conscience, bot they aucht injoy the libertie of ther conscience gewe they lewe as subjectis; and therfor, madame, refraine your opinioune therin. The Quene of Scottis said, God and the varld could beir witnes of the contrare and that scho hed red so in thair awine prented buikes. The Lord thesaurer answerit that they quho wes so, madame, wryt [*sic* ? *lege* denyit] also that the quene of England wes Quene.²

Then she accused Mr. Secretar that he hed beine hir grit enemye and hir sones, and practised with certane persounes against them. Bot, Mr. Wilsinghame, sayis scho, I think yow ar ane honest man, quhider hawe yow bene so or no. Mr. Secretar arose up and sayd, Madame, I stand chairget by yow to hawe practised sume thingis aganis yow. I call God and all the world to witnes I hawe not done ony thing as ane privat unworthie of ane honest man nor as ane publict man as unworthie of my calling. I protest befor God that as I am ane man cairfull of my majesties saiftie I hawe bene curious, and thair [*? lege* that if] Ballaird³ had offerit me his service, I protest I vald hawe used him, and gewe he hed done service I vald hawe rewardit him. Bot

¹ The narrative from this point, as given by Camden, is an account of the proceedings before the Commissioners. (Camden, p. 312 *et seq.*)

² 'The authors (replied he) of such books, do write also that the Queene hath forfeited her royall dignity.' (Camden, 318.) According to Camden the date was 14 October.

³ John Ballard, a Jesuit priest, implicated in the Babington Plot and executed in September 1586. (See J. H. Pollen, *Mary Queen of Scots and the Babington Plot.*)

gewe I practised with him, quhy did he not pleid for his lyf? Heir againe scho weped and protested scho wald not mak schipwraik of hir faith in aspyring against hir sister, and that thois quhome Mr. Secretar hed sent for spyys var spyis for hir aganis him and lykways told hir thingis of him.

The Quenes actornay affirmeth that the Queen of Scottis wes privie to that conspiracie,¹ and that scho gawe the instructiones to hir secretar to wryt and that hir secretar confest the samene.

Soliciter affirmeth both the poyntis of the statuit agreing to the poynt of the commissiounes, first that the Quene of Scottis wes privie to the conspiracie of the Quene of Englandis murthor, that she receawed Babingtoune lettres quhairin the conspiracie wes mentionat to kill the Quene, and that the quene hir lettres bak againe to Babingtoune manifested the same, quhilkis lettres var schawine be Babingtoune to Ballaird, Savage, Tichtborne² and otheris, quhitche thai deponit be examinat therupon. Secundlie, he affirmeth that the Quene of Scottis hir self did conspyre the Quenis death. Scho answerit that the depositions of those fellowes cowlde vork no thing against hir. Scho ves nevir callit to thair examinatiounes till object against them, and that they war ather drawin in houp of rewaird or put in feir to depone against hir; and gewe ony sic practises var plottit against the Quene by hir awin subjectis, albeit scho knew therof—as scho did not—scho not being the Quenis subject bot als swe [*? lege* frie] ane prince as hir self, thair could no law censur hir thairfor. And last to lat them understand of hir innocensie in that bussines scho declaired absolutlie scho knew nather Babingtoune nor Ballaird.

The lord thesaurer said, No, Madame, know yow not them? Then I vill tell yow quhome you know. Yow know Morgayne that hyred Parrey to kill the Quene, and yow gawe him ane pensiounes. Yow gawe pensiounes, Madame, to murthereres. Scho sayd that Morgayne had

¹ The Babington Plot.

² John Savage and Chidiock Tichborne, Babington Plot conspirators, who were captured and confessed. (See J. H. Pollen, *ut supra.*)

lost for hir saik, and thairfoir againe thocht it belonged to hir honour to relewe him. Bot, sayis scho, thair hawe bene pensiounes gewin to my enemeis in Scotland; and named ane. And also thair wes ane pensioune gewin to the king hir sone, and the gewer of ane pensoun can not mak the grantir [*sic*] culpabill of all thair actiounes.

My lord thesaurer said, Indeid, madame, no pensioune, bot becaus the renew of the croun ves vaisted, hir Majeste hes bestowed ane benewolence upon the king yowir sone, being hir Majesteis kinsman.

Scho protested scho hed nevir done ony thing against the quenes persoune, by quhais suggestioun soevir the Quene may be misinformit. Scho forder desyrit to sie the protestatioun scho maid to those that in the 14 yeir var sent to hir. I meine, sayis scho, the lord chanceler that now is heir, Vilsoune¹ and otheris.

This hes bene the fornones vork. Efter dener they go to counsall, quhat is to be done.

Anno 1586 upon Veddinesday the xij of October,² the Lordis afairsaid with sume other comissioneris came to Fotheringey castell in the cowntie of Northamptoune at 9 a clok in the morning, quhair first in the chappell of the castell thay hed ane sermone and eftir that, the same day and the nixt var spent in deliberatioun and sending in to the Quene of Scottis oftentimes to know quhiddir scho vald compeir upon Fryday nixt in the morning. Scho resolved to appeir, and about 9 of the clok scho came furthe, and having ane chair set at the upper end of the presens chalmer below and sumequhat on the syd of the same ves placed [*sic*]³ and eftir silence the Lord Chanceler stood up and spak to thus effect.

Madame, the Quenes Majeste, being stronglie informet

¹ Mr. Secretary Wilson. He played a part in negotiations with Mary in 1581, 'the 14 yeir' of Elizabeth. (*C.S.P.*, vi. no. 80, p. 79.)

² According to Camden 'the most part of these Commissioners came the 11 of October to *Fotheringay Castle*' (p. 312). In the Warrender narrative the sequence of events is confused.

³ 'At the upper end of the Chamber was placed a chaire of Estate for the Queene of *England*. . . . Over against it, below and more remote . . . stood a chair for the Queene of *Scots*.' (Camden, 315.)

of sindrie practises maid by yow against hir, hes caused thus assemble heir at thus tyme as it hath bene signified unto yow. Yow hawe receawet the lettres certefeing the same, and I must say thus mutche, Madame, to yowe frome hir majesteis owine mowth, that having borne so many thingis at your hand scho can not any longer [delay to] proceed against yow, not for the perrell that might befall hir self, for God (scho trusteth) wiche aluay hawe defendit hir vill still delyver hir frome them. Bot thair dependis ane gritter thing upon it. Scho sayes that yow ar maid a fundatioun of all practises against hir, and gewe scho sould neglect so grit ane danger scho sould forget the caus of God and beir the suord in vaine. It is no malice, Madame, nor regaird of hir persoune that causeth hir to do it, and albeit scho might do other wayes and proceed against yow, yit scho hes delt thus in honour towardis yow that yow sall be hard and speik for your self. The Quene answerit to this effect be way of protestatioun that scho wes ane frie prince and borne Quene, not subject to ony bot to God to quhome scho must give compt, and thairfor that hir apering sould not be prejudiciall to other kingis and princes, nor to hir allyis nor hir sone and thairupon desyrit ane act to be maid and requyret hir owine peopill to beir vitnesing of it, and of the violent cours pretendit against hir. And as for the courtesie that the Quene schew hir, geving hir licience to speik for hir self, scho thankit the Quene for that grace quhilk wes proper to the vorst malefactour in England in judgement to defend them selves, being accused.

The lord chanceler againe protested aganis that protestatioun that it sould nawayis be prejudiciall to the Quenes majeste of England nor croune therof, and they all on the behalf of the Quenis majeste requyret it to be enacted.

Then Mr. Poill¹ red the commissioun grundit upon the statute of the 27 of the Quenis regne.

The commissioun being red, the Quene said, I protest that this law is insufficient and therfor I can not submit my self to it.

¹ Sir Amyas Powlett.

The lord chanceler awowed and justifiet the law to be sufficient to proceed against hir. To quhome scho replied that that law of purpois wes maid against hir.

Then the lord thesaurer said, We hawe commissiounes to proceed against yow, and gewe your grace vill not heir ws, we will proceed therein.

Scho said then, Quhat yow do by violence or vill, I hold it not for law.

Then arose secretar Gaudie and declairit first the brenches of the statutes, and inferrit that the Quene of Scottis ther present hed offendit against both the brenches therof, viz. that scho hed bene privie to the conspiracie of the killing of the Quenes Majeste and als hed practiset it hir self, and maid ane discours of the quhole plott from Ballairdis cuming in the realme.¹

Quhen he said that the Quene of Scottis wes both ane mowar and compassar, scho bowit hir self and smyllit and said that ves verie inlicklie considering both hir meanes and inhabilitie be reasoun of hir strait captivitie. Hir first lettre to Babingtoune to renew that intelligence wes red.

Then serjand Puckering persewit the rest of Babingtounes lettres to hir, and hir answer againe to him.

The quene answerit scho hed never sene Babingtoune nor newir hed spetche with him, nor newir hed red lettres frome him, and that scho could stop no man to pas beyond seas, bot lat ony man in England cum and say that I ever did ony thing against the Quenis lyfe.

Then, Sandis² the clerk of the crowne red Babingtounes confessiounes and serjand Puckering oppinit the poyntis.

The quene said that being kept frome all intelligence of hir freindis and of hir sone, it may be scho desyrit intelligence bot gewe ony uther man hed done or practised ony thing it is no mater to this purpose. Thair be sune that send me lettres and I knaw them not nor frome quence they came.

The clerk of crowne red againe Babingtounes confessiounes.

The quene said, I never vait of ony sutche lettre.

¹ Early in January 1584-1585 (J. H. Pollen, lxxvii).

² Lord Sandys. Babington's confessions are printed. (Pollen, Section II.)

Then wes [red] hir letter to Babingtoune to quiteche scho answerit, Gewe Babingtoune and all the world say so, they lie of it. I vald sie my awin hand vritt, and as to Babingtounes lettre to hir, scho said scho newir saw that lettre and newir hard of it.

The thesaurer affirmeth the receipt of Babingtounes lettre.

The serjand affirmeth ane answer to Babingtounes lettre frome hir in the said cipher, send by a servand man in a blew cott.¹

Quhen mentiounes wes maid therein of the erll of Arundaill² scho weiped, saying, Wo is me that that hous heth sufferit so mutche for my saik innocentlie; and having weipit a tyme, Gewe I ever maid ony sutche devyse against the Quene my sister, I pray that I never sie the face of God. I hawe practised about my delyverance as ony prince keipit in captivitie.

Having proceeding thus far in the bussines the comissiounes convictit the Quene of Scottis of the twa particular poyntis above mentionat and remitted the tyme and place of hir executiounes to the quenis majesties deliberatiounes.

Copy, 4 $\frac{3}{4}$ pp. Vol. A, 230.

CXXXVII

Archibald Douglas to James VI.

16 October 1586.

On 5th October I received your Majesty's letter of 28th September, and on the same day I despatched William Murray with letters, by which you may see that I had already done my utmost to perform 'the tua cheiff poyntis' of which you wrote. As for the first point, concerning the interceding for the life of your mother, 'I haif divers tymes and in ewerie audience trawellit with this Quene in that mater' especially to find out her true mind, but could never obtain any more definite answer than that she liked

¹ in a blew cott = in a blue coat.

² Philip Howard, Earl of Arundel, suggested by Mary as a suitable person to be a 'generall or Cheefe' leader of the conspiracy. (Pollen, 43, 64.)

as little as did Mary's best friends 'this proceeding against hir be ordour of justice.'

As for Mary's life, she could make no answer until the law had pronounced sentence upon her; but she informed me that it was a number of the members of the Association¹ who urged her to let the law have its course against the Scottish queen, because so long as she continued to plot, the life of Elizabeth and the safety of England would be in constant danger. In the end they declared that they would not answer for the consequences if she did not take their advice; and so she granted them leave to proceed with justice.

For my own part I know that she spoke the truth, and that for divers reasons 'boythe Papist and Protestant hes behawit thame as it hath beyne hir pleasour to declair.' The Papists have acted from a wish to avoid suspicion, the Protestants to advertise their 'zeale and cair . . . for preservatioun of thair soveranis lyff and estait.' With both parties I have had negotiations, of which I informed her Majesty beforehand. The Protestants, and those who bear no goodwill to your service, have begged to be excused from acting contrary to their Bond of Association and the advice given to their sovereign before my arrival.

The Papists with whom I dealt revealed the matter to Elizabeth, who sent for me and warned me that such negotiations were not 'for the weill of my Maisteris service.' I begged her permission to 'informe thame of your Majesties lait behaviour towardis hir, and the state of this realme, wherunto with sum difficultie sche gaiff hir consent' upon my departure from court on 5th October, the day after the Grand Jury set out for Fotheringay. Her Majesty promised that, when they returned, she would 'gif full answer according to your Majesteis contentment to the remanent materis' which I had in embassy.

¹ The Bond of Association was formed in 1584 'by a large number of English subjects who pledged themselves "to prosecute to death" any person on behalf of whose claim to the throne an assassination plot should be formed.' Its chief provisions were embodied in an Act of Parliament, 27 Elizabeth c. 1. *K.J.S.*, 16.)

As to the second point of which your Majesty wrote, 'concerning the associatioun and dessire that the promeis maid to the Maister of Gray concerning your Majesteis titill may be fulfillit,' if you had read and considered the act of parliament, you would have found that it contains 'all the promeis maid be the Quene to the said Master.' The only danger now is that too 'ernist requeist' for your mother's life might create a suspicion that your Majesty has been 'assenting to hir procedingis.' I think that it might help matters 'be obtening of ane declaratioun in parliament of your Majesteis innocencie.' Because the very 'gude nature and publict honestie' which constrain you to intercede for your mother, will of themselves engender a suspicion against you among 'ill affected men,' I have already written letters, begging you to take advice of 'sum learnit men in the lawis,' so that after mature deliberation 'thai nicht haif formed the wordis of ane declaratour of your Majesteis innocencie to be obtenit in this parliament, and failzeing thair of the verray wordis of ane protestatione for the samyn effect that nicht best serwe for your Majesteis service and for my better informatioun.' I have already suggested such a course to this Queen, who has shewn no objection and allowed me 'to deale thairin with suche of the parliament as may remain in anye doubt of mynd.'

I beg your Majesty to send me further instructions, and in the meantime I shall proceed according to previous directions.

From London this xvj of October 1586.

Original, autograph signature, trace of seal, 2½ pp. Vol. B, 324.
Printed in *K.J.S.*, 29; Robertson, *History of Scotland*, Appendix L.

CXXXVIII

James VI. to Archibald Douglas

[c. 20] October 1586.

Admonishes him to be instant in 'earnist dealing' for Queen Mary: if 'hir lyfe be lost,' James will have no more traffic with England, and if Douglas values the enjoyment

of the royal favour he must 'spaire na painis nor plainness in this cace,' but carry out the instructions given to William Keith.

Holograph letter, probably a draft, undated, $\frac{1}{2}$ p. Vol. A, 189.
Printed in *K.J.S.*, 35.

CXXXIX

Archibald Douglas to the Master of Gray

22 November 1586.

Since Mr. William Keith, his Majesty's minister, has 'boythe sufficientlye and well delivered to the quene of this realme' all the points of his embassy and can himself give a good report of his second audience, I shall spare the trouble of repetition, except to say that we both thought it expedient before the audience that he should undertake the plea committed to him, and that my care should be the 'mater concerning the titill,' because the two things are 'sumwhat repugnant and incompatible to be proponed by one personage.' His arguments were varied and convincing; but the sum of Elizabeth's answer amounted to this: whether did our king think that 'sche innocent or his mother guyltie shuld suffer the deathe'? It would be useless to spare Mary's life and trust to her gratitude, because, although she might refrain from plotting, her supporters were confident that she would reward them if they succeeded in setting her on the throne of Elizabeth. Even if she would not do so, yet the Papists reposed 'thair onlie hoipe in hir for the erection of thair religione,' and would employ any means to put her in a position to fulfil their aims.

As to my part of the negotiations, Mr. Secretary Davison informed me this morning of the Queen's intention that Keith and I should be present within a few days at a conference with 'some of her learned counsall' to take measures for 'our soveranis contentment.'

Elizabeth's answer to the representatives of parliament who waited upon her on 10th November was to thank them for their care for her safety, and to beg them to assemble to consult about measures 'wherbye boythe thair lyves might

be preserwed.' These deliberations took place upon the 18th, when the matter was remitted to a small committee of both Houses. It assembled on the 19th, but 'I luke for no greit gude to be done be thame.'¹

I send you the copy of a discourse sent to me by 'ane speciall freinde,' who asserts that it 'wes penned be the lord thesaurare contening the argumentis that he thinkis shalbe used with the solutionis in forme.' Impart it secretly to his Majesty, but let no copies be circulated at present.

Lord Buckhurst and Mr. Beale have gone to Fotheringay with instructions, of which I informed Keith because they were his concern. Everything considered, I cannot but fear that Queen Mary's life is in 'extreame dayngeir,' although we will do our utmost for her safety.

News comes from France of a truce for forty days, during which time the King of Navarre and the Queen Mother may meet to negotiate a further peace. Navarre has informed Elizabeth that he will be guided by her advice in these transactions.

As the winds are contrary for going to Flanders it is expected that Leicester will return here before he could receive the Queen's command to remain where he was.

All other points touching the negotiations with the counsellors I remit to Mr. William Keith, who has spared no pains to accomplish his mission. The fault will not be in either of us, if 'materis sall not fall owt as ar loked for.'

From London this xxij of November 1586.

Original, autograph signature, trace of seal, 2 pp. Vol. B, 333.
Printed in *K.J.S.*, 48.

CXL

[Secretary Maitland] to William Keith

27 November 1586.

Your letter convinces his Majesty 'of your earnistnes and fidelitie in your negotiation as alsua of Mr. Archibaldis

¹ An account of 'Proceedings in Parliament relative to the sentence on Mary Queen of Scots' is printed by A. F. Steuart in *Trial of Mary Queen of Scots*, pp. 118-131.

concurrence and diligence.' He 'takis this rigorous proceeding against his mother deiplye in hairt as a mater greatlye concerning him bayth in honour and utherwayes.' He is about to send an earl and two counsellors in embassy, on the result of which will depend the 'continewance or dissolution' of the friendship with England. In the meantime 'yf forder extremitie be used and his majestie sute and requeste disdained,' he will esteem it unmerited dishonour and insult. You must act according to the instructions contained in his letter, which you shall shew to Mr. Archibald. I shall consider the behaviour of both of you in this matter as the measure of your 'affection to your maister.'

'Halyruidhous this xxvij of November 1586.

'The people and all estates heir ar sa far moved be the rigorous proceeding against the quene that his majestie and all that hes credit ar importuned and may not go abroad for exclamations aganis thame and imprecationis against the quene of England.'

Copy, unsigned, 1 p. Vol. A, 219.

Printed in *K.J.S.*, 56; Robertson, Appendix XLIX.

CXLI

Burghley to Douglas and Keith

6 December 1586.

Her Majesty having considered the requests which you made this afternoon in your master's name, wishes me to state, that if Mr. Keith had not delivered 'soe strange and unseasonable a messuage, as did directlie towche hir noble Father, hir self, and all the estatis of hir present Parlement, she would not have misliked nor denied the Kinges request,'¹ but now she does not see how she can honourably consent to grant a safe-conduct for ambassadors, and to delay proceedings against Mary. Yet, believing that the message

¹ James had written that 'King Henry the eyghthes reputation was never prejudged in anything but in the biheading of his bedfellow[s].' (*K.J.S.*, 61; *C.S.P.*, ix. no. 165.)

could not have emanated from the King himself, but from some who wished to stir up trouble, or to tempt her to carry out the sentence at once, she is willing to listen to his offers, if sent directly to you, his resident ministers, within ten or twelve days. At the same time, she cannot definitely promise to delay the execution, should an emergency arise. For my own part I am sorry that this crisis has arisen 'by soe strange and hard dealing, whan such requestes ought to have been followed and sowght with all curtesie, kindnes, and frendlie argumentis of perswasion.'

'From Rychmont the 6 of Decembr. 1586.'

Original, autograph signature, trace of seal, 1½ p. Vol. B, 329.
Printed in *K.J.S.*, 82.

CXLII

Walsingham to Douglas and Keith

7 December 1586.

Her Majesty, after reading your letter to the Lord Treasurer, asks me to inform you that because she believes the ambassadors could not arrive within the prescribed time, she thinks fit to adhere to her refusal to grant a safe-conduct. She will be pleased, however, if your master cares to send offers by 'some gentleman,' who, having no retinue, might come within the time. I am also to inform you that should any emergency arise to compel her to hasten the execution, this shall not be 'imputed to hir as a breach of promise.'

'From the Court at Richmonde the vijth of December 1586.'

Original, autograph signature, trace of seal, 1 p. Vol. A, 207.
Printed in *K.J.S.*, 93.

CXLIII

Archibald Douglas to James VI.

8 December 1586.

By letters from the Master of Gray, dated 23rd November, and from common report, I understand that it has been

falsely represented to your Majesty that I had 'omitted sum part of my dewetie' in your service, and had 'beyn ane ill instrument' in matters concerning your mother's safety. Although I am convinced that you would never believe such 'untrew reportis' about 'ane borne gentilman,' who owes everything to your Majesty, yet in order to refute my enemies I make bold to place a statement of my proceedings before you.

At the time of my departure you were ignorant of your mother's sentence, and therefore gave me only general instructions 'to interceid as your Majesteis minister thairunto.' From my frequent letters to yourself and to the Master of Gray it will be seen, not only that I acted in good faith, but also that I never failed to send timely reports of all events that occurred. After the arrival of William Keith on the double mission of pleading your mother's cause and of securing that 'your Majesteis titill to this crowne' be not prejudiced by the proceedings against her, he can declare what part I played in both these matters.

As regards the succession, I believe that none of the greatest and wisest of Scotland could have served your Majesty better than he has done by his careful efforts. As to the plea for the Queen's life, the course of proceedings makes it clear that the decision rested with 'ane multitude with whome thair culd be no dealing.' I am sending to the Master of Gray the 'discourse framed be thame in parliament hous,' whereby you may see the national determination to have her life. Elizabeth has told us and the French ambassador that she dare not resist the popular demand. It is not to be expected that 'my small credit' will be able to secure what your Majesty and the King of France fail to obtain.

As to the other points of my commission, I shall render a good account of them on my return, which would have been before now, had not the Queen's sentence intervened. The chief events in that matter are these:

On 12th November Elizabeth asked parliament to try to devise some means for the safety of both her life and Mary's. Upon the 23rd they answered that none could be found.

To this she said that she could give them no definite answer until she had taken further advice. At 10 o'clock that evening the Earl of Leicester arrived at court. On the 27th M. de Bellièvre (Belleure), the French ambassador, had an audience wherein he advocated clemency. Elizabeth declared that if he could find a way by which they might both live 'sche wald with all her hart inbrace onye suche overture.' Upon the 29th we had an audience, when Keith begged that proceedings against Mary might be stayed until he should receive an answer from your Majesty. Elizabeth replied that she wished no harm to Mary, but it would do more ill than good if the people thought she showed her favour. She 'did sweare be the leving God,' that she would 'gif one of hir awin armes to be cut off,' if means could be found whereby they could both live in safety. The only proceeding which Elizabeth ever took by her own action against Mary was 'the granting of ane commissione for hir tryall,' which was done by Mary's own request. Parliament asked her to do many things which she would never grant; and she could not refuse publication to the sentence of the judges.

On the 30th we received the letter which your Majesty caused the Master of Gray to write on the 23rd, commanding us to ascertain if the Queen and Council of England were still disposed to consider overtures for saving your mother's life.

Before I answer this letter I must give an account of proceedings 'in the uther matter of your Majesteis titill.' On the 22nd, we were invited to a banquet with the Lord Treasurer and several members of Council, and in the afternoon had a private audience with the Treasurer, Sir Francis Walsingham, the Lords Chief Justice, Chief Baron, and Chief Justice of Common Pleas, and the Queen's Attorney, who, at our request, narrated 'the hoill proceeding' against your Majesty's mother. In long speeches they all tried to persuade us that your title was in no way prejudiced thereby. But we were not satisfied, and tried to prove the necessity of having the assurance defined in 'expres termes.' They promised to put the matter before her

Majesty. This they did, and in our next audience she herself promised to perform all things necessary to safeguard your title.

To return to the answer to the Master of Gray's letter. On 3rd December I went by appointment to an audience, when I begged her Majesty to accept the security offered by other princes for her safety, if she should spare Queen Mary's life. Finally, she asked what 'overture culd be dewised' for her surety. I answered that, if she would delay proceedings in the meantime, I was sure my master 'with the advise of his wise counsall' would send 'ane speciall ambassadour' to make 'suche overture' as would satisfy her. To this she made no definite answer. She appeared disposed to listen to offers, but not to delay proceedings. Sometimes she affirmed that she would never be induced to sign a death warrant; at others, that she feared necessity would compel her to let justice proceed. In a day or two she would cause Sir Francis Walsingham or the Treasurer to confer with me on the matter.

I drove back from court with 'my lord of Leycester,' who represented to me that it was to your Majesty's interest that your mother should suffer justice. I assured him that you 'culd ressave that persuasione in no gude part.' He made many protestations of service to your Majesty, for which I thanked him heartily, for 'he doethe governe this courte at this tyme at his pleasour.' He complained that Colonel Stewart had passed to the Duke of Parma¹ without his knowledge, and said that he had shown 'grit curtesie' to his wife, 'upone the sight of your lettir.' He also asked if there were any truth in the rumour that was circulating in France, that Scotland would break the league with England, if proceedings were continued against Queen Mary. I answered 'that I knew no suche mater to be trew, becaus I knew and was assured that your Majestie had contracted that league of your selff for gude will borne to hir Majestie without the advise of your nobilitie and against the will of your forane freind[is] and most part of

¹ Colonel Stewart was an agent of James in negotiations with Parma. (*K.J.S.*, 71 and n.)

your subjectis, whiche I was assured your Majestie wald nevir break notwithstanding onye report, if the fault shuld nocht be founde in thame selffis that shuld mowe your Majestie to the doing thairrof.' He assured me that if you remained steadfast in religion and would follow advice, you would be 'weill used be hir Majestie and be assured of your titill to this crowne.' As to Huntingdon's claim,¹ you need not fear his rivalry. Finally, Leicester arranged to discuss your Majesty's affairs at greater length on Tuesday the 6th. It would be well to thank him in your next letter for his good offices.

That night we received your Majesty's letters of 28th November, which caused a great stir here. On the 4th we sought an audience, which was given on the 6th, as the French ambassador was to be received on the 5th. We did our best to persuade her Majesty to grant your requests. In the end Keith was forced to let her see your letter, which threw her into 'suche passione as it was ane grit deale of work to us all and to the erle of Leycester to appease her.' Leicester urged that you had been induced to write the letter by some mischief-maker, and that all that you wished was that your mother might be well used. In the end she said that she would delay her answer until the morning; but in fact she did send it that same night at eleven o'clock, together with another letter, answering one which we had sent to the Lord Treasurer. These letters we are now forwarding to your Majesty. All things else I refer 'to the sufficiencie of this berare.'

From London this viij of December 1586.

Original, autograph signature, traces of seal, 7 pp. Vol. B, 340.
Printed in *K.J.S.*, 72.

CXLIV

William Keith to [Maitland]

8 December 1586.

I have had several letters from the Master of Gray. The last of these, written at his Majesty's direction, was to the

¹ The claim of Huntingdon lay in his descent from George, Duke of Clarence, brother of Edward IV. 'As this claim was incompatible with that of the House of Tudor, it implied something like treason.' (*Ibid.*, 71.)

effect that I should declare to the Queen and Council of England that his Majesty would consider rigorous proceedings against his mother as an irreparable breach of kindly relations with him. He wrote also 'that thair wes ane nobilman to be direct heir and ane of his counsale.' Of this I am heartily glad, because it is to the King's honour to let the whole world see that he does his utmost. My colleague, Mr. Archibald Douglas, went to her Majesty to see about their passport, and what she would do about their coming.

She said, sometimes, that she would never give a warrant for the execution, sometimes, that she would be compelled by her people to suffer the law to strike. As for sending a nobleman, she would do no more for him than for us, who were his Majesty's accredited ambassadors. Nevertheless your lordship would do well to 'caus haist thame that cumis.' The passport shall be had as soon as possible.

But before receiving this letter I had had an audience with her Majesty who, at my solicitation, agreed to delay proceedings. She told me how parliament had urged her for a warrant 'to proceid in the uttermaist rigour' against Mary, and that she would give them no answer. Later, she said that she would need to let law and justice take their course. But I showed her that the King and his friends would do everything in reason. She answered: 'quhat ressoun could serve hir quhen scho wes deid?' I assured her that my master was always 'cairfull in his offeris for hir Majesties saiftie'; whereupon she 'spak mony guid wordis' of him. Such was that day's work.

I have seen Leicester only in a place where I could not speak long with him, but this I will do to-morrow or the following day. Douglas, who has spoken with him, found that he, like the others, thought that Mary must die. Yet yesterday the Treasurer desired me to 'offer all sureties' to Elizabeth, that they might both live. I said that I had already done so, and would continue. This is the most that I have ever got from him since I came.

Parliament is adjourned till 15th February. They are

to publish a proclamation of Queen Mary's conviction and inability to succeed to the throne. But at her Majesty's bidding we had an interview with the Lord Treasurer, Secretary Walsingham, some of her lawyers and her advocate. Douglas spoke 'werrie learnitlie and cairfullie for our maister, swa that I think we salbe satisfieit in his Majesties declaratioun' and also that his 'tytill be nocht prejугit.' They have promised to let us see the 'proces' against his mother, and to amend anything that may touch him.

On the 6th we had an audience, where we begged that proceedings might be delayed till the new ambassador should come; but we could not gain our requests [MS. much damaged here]. Then, I was commanded to deliver the letter which his Majesty wrote to me. It threw Elizabeth into a towering rage; and although she became somewhat pacified in the end, she would give us 'na assurance of ony thing' till after we had returned to our lodging. She commanded the Treasurer to send us a letter, which I have forwarded to the King.¹ I would have sent a copy of the proclamation, but it was published only yesterday, and under the great seal. We have begged her Majesty for it, and hope to have it soon. 'Bot it is maid sumthing nyce.'

I beg you to urge the King to hasten his destined ambassador. Their unwillingness to grant the passport is lest a large embassy should either 'bring the matter in extreme evill termes,' or else obtain his Majesty's desires. I should like, therefore, that Sir Robert Melvill were sent, for he will not be hindered from coming: and we shall do our utmost to hasten the safe-conduct for the Earl of Bothwell and the Master of Gray. According as you see our time is limited, make haste. For the rest I refer you to his Majesty's letter and to the bearer, who is entirely trustworthy. And so I 'mak ane end eftir my sitting up wretting all the nycht.'

'The viij of December 1586.'

Original, autograph signature, 2 pp. Vol. B, 322.

Printed in *K.J.S.*, 67.

¹ Above: No. CXLI.

CXLV

8 December 1586.

Memorandum prepared for Walsingham and sent to Maitland.

'Ane memoriall of certene heades to be communicated to the lorde Secretarie of Scotland.'

That the reason why I have not answered the letters which he sent me more than five months ago, is not that I distrusted him, but because I could not send an answer 'either to my desyre or his contentment.'

That I am not given lightly 'to condempe a man reputed so wise and relligious as he is,' because I know from long experience how hard it is to escape from slander in the midst of faction.

That I wish we could come to an agreement not to condemn each other unheard, so that our intercourse might be continued 'for the publicke benefitt of bothe the realmes, and the princes our sovereigns.'

To let him know that 'all wise and relligious men here' are greatly surprised that their brethren in Scotland earnestly urge the king to plead his mother's cause, seeing that all the papists in Europe hope to re-establish their religion in both our realms by means of her.

That the message lately delivered by Mr. Keith threatened to give rise to a breach of friendly relations, but for the intervention of well affected men.

That some people here consider the Secretary responsible for the letter; but that I, knowing his judgment and wisdom, am of another opinion.

Lastly, that some here would like to see the rupture of the present amity, which would be more for the advantage of the 'common enemies' than of our sovereigns, and which 'ought to move all well affected servantes and counsellours' to avoid 'all causes of offence.'

Original, unsigned, 1½ pp. Vol. B, 334.

Printed in *K.J.S.*, 84.

CXLVI

[*William Keith*] to *Maitland*

[c. 9 December 1586.]

I thank you for having written at the very time when I would most gladly know what the King thought of me and of 'the personage' of whom I wrote to his Majesty.¹ This personage is in a difficult position and knows not where to turn. He tells me that the Master of Gray has forbidden him to return to Scotland 'giff this maitter gang wrang.' But what cares he for that, he says, if his enemies have left him nothing to hope for in Scotland. I told him that if he lost Scotland he might also lose England, 'for this was ane ald quene and my maister was yong.' He then said that he would do his best for the king, so long as he spared his life. He speaks of me as a simpleton, which may be true; 'bot he is ane serpaint in ane manis lyknes' and does not care a whit for this matter. I mistrust the French ambassador, Bellièvre,² for, although 'I haw gottin many fair wordis of him,' I believe his chief concern is to seek the support of Elizabeth against Spain, and that he is not anxious about the fate of Mary. Believe no one who tries to persuade you that her life is not in danger. Urge his Majesty earnestly to send an ambassador either to satisfy Elizabeth, or to hear 'sik ressonis' as she may wish to give. He must be despatched without delay, for we have only twelve days of grace; and you must not send more than twelve persons. If there be many, they will not obtain a passport, and they could not come quickly enough. As soon as possible, write to me privately what the King intends to do, should his plea for his mother's life be refused. All other matters I remit to the bearer. The Master of Gray is suspected by the Queen and Council here. They accuse him of having gone over to the French party, but I think that Elizabeth would like to secure him again, because she told me that she meant to write to him.

¹ Apparently Archibald Douglas.

² Bellièvre had been sent on a special embassy to plead on behalf of Mary.

Leicester 'speikis no gud off him,' and they blame him for the 'hard lettir' which the King wrote to me. They attack you also, but not so fiercely as when I came first.

Holograph letter, much damaged, unsigned and undated, traces of seal, 2 pp. Vol. B, 323.

Printed in *K.J.S.*, 89.

CXLVII

James VI. to Elizabeth

15 December 1586.

I am sorry that you misunderstood my letter to William Keith. My only intention was to inform you of the state of feeling in Scotland. The bearer, an Englishman, can inform you from his experience how incensed the whole country is. As for me, 'I never blamed your self directlie' for the proceedings of those who clamour that your own life is in danger. I beg you 'to accompt me your most honest and steadfast freind, since I never did nor shall deserve any uther opinioun.' I pray you to delay proceedings against my mother until the Master of Gray shall bring you my 'ouvertures.' He shall leave here on Saturday next, without fail. Please arrange that a passport for him and another gentleman be sent to him on his journey.

'From Halyruidhous the xv day of December 1586.'

Copy, $\frac{2}{3}$ p. Vol. B, 336.

Printed in *K.J.S.*, 98.

CXLVIII

James VI. to [Leicester]

15 December 1586.

The Master of Gray will bring you 'the full ansour' to the letter which Douglas sent to me in your name. As to 'my first purpos,' I am honest, and no turncoat. They lie who say that I ever conspired with my mother since Gray was in England, or that I ever put her claim to the succession before my own, or had negotiations with foreign

powers. How infatuated and inconstant I should be 'if I shulde preferre my mother to the title let all men judge.' My religion ever caused me to hate her policy, although honour compels me to plead for her life. I thank you 'for your cairfull excusing to the quene the planenes of my letter written to William Keith,' which she much misread.

'From my palice of Halyruidhous the xv day of December 1586.'

Copy, $\frac{5}{8}$ p. Vol. B, 337.

Printed in *K.J.S.*, 101.

CXLIX

Archibald Douglas to the Master of Gray

15 December 1586.

I take the opportunity to send by this bearer a copy of the proclamation of the Queen's sentence, by which you will see 'that the rigour is not so greit heir bot that it mycht hawe beyn helped if the rycht way of dealing had beyn takin.' It is my opinion that jealousy of the King's credit incited some men 'to exasperate materris.' I do not blame Scotsmen so much as others, who shall be nameless. But I beg you to dissuade James from serious intervention. Neither the King of France nor of Spain will give him 'such ane realme as thay vould mak him to indaynegeir.' His 'werteuouse behaviour' has gained him 'so greit credit' here that he is no less assured of the English crown than of his own. It is not surprising that a passport was refused, for a rumour was being circulated from the French ambassador's house that the noblemen were to bring a declaration of war. Randolph, whom Leicester sent to us to-day, is 'ane gud instrument to our master against all such as wold spred ill brutis and calumneis' against him.

From London this xv of December.

At the earnest request of some who have come here, Walsingham has written to Maitland, who is anxious 'to haif intelligens.' I could procure him information, if I thought he would 'wse it weill and for the benefite of his king and cuntrey.' Your coming here can serve no good

purpose until you are held in greater favour, and have cleared yourself of suspicion. Let me know what you wish me to do, and it shall be done.

Holograph letter, traces of seal, 2½ pp. Vol. B, 338.
Printed in *K.J.S.*, 104.

CL

[17 December 1586.]

Instructions by James VI. to the Master of Gray.

You shall signify to the Queen of England that we are greatly surprised at 'the late preposterous and strainge proceadeur' against our mother. That a sovereign princess, in all degrees of the best blood in Europe, should be tried by subjects is a dangerous precedent for all princes.

We would remind her of her kinship to our mother, of the friendly promises she so often made to her, of the impiety and illegality of the judicial proceedings against her.

That, considering the friendship which we have shown her, we expected her to refrain from all things turning to our dishonour or prejudice.

That suspicions will be cast upon the sincerity of the league, since all the proceedings were taken without our knowledge, although, had we been duly informed, we would have satisfied her 'in honour and suirtye.'

You shall express the great grief which our mother's death would cause us, and intercede with the Queen to show clemency to her kinswoman, one of her own rank and sex.

If it be objected that the preservation of our mother's life would appear to endanger that of Elizabeth, you may answer that her alleged plotting seems to have proceeded from despair and a womanly fear for her life. The surest expedient for the safety of Elizabeth and the peace of the whole isle, would be to send our mother out of England 'upon securitye and joynt obligations of the princes of her kinne freynship and allyance.'

You shall show how her death would enflame the papists with a cruel desire of revenge, wherein they would assure themselves of our support, who would have the chief shame of her death.

You shall show how mercy will breed fame and praise and immortal glory to Elizabeth's name, and bind our mother to her.

That her death would 'rather stirre up nor quenche factions,' and that they would find a new head, more formidable than a sickly woman.

You shall inform Elizabeth that she might obtain full security by the joint and several bonds and pledges of other princes to the effect that if our mother is delivered over to someone who 'wilbe allwayes answerable upon his faythe and perrill of the hostages,' she will neither directly nor indirectly plot against the Queen and estate of England.

If Elizabeth does not approve of granting our mother's liberty, she may imprison her more strictly and cause her to sign a bond stipulating that, if she engaged in any further intrigue, she would willingly submit herself 'to whatsumever ignominie or punishment may be inflicted to a rebell, renouncing in that cace all rank and preveledges of a soverayne prince.' Other princes, as above, would give 'caution and obligations.'

If she likes neither of these overtures, you shall ask her to state what kind of security she and her councillors shall think sufficient, and this we will grant for ourselves, and seek to obtain the consent of all others. Her life is no less dear to us than our mother's or our own.

Copy, part of the edge worn away, 4 pp. Vol. B, 327.

Printed in *Papers of the Master of Gray*, 120-125; and in *K.J.S.*, 107.

CLI

Sir Robert Melville to Maitland

[? 19] December 1586.

I have been able to learn no further news of our sovereign's mother than that, according to rumour, her execution has been fixed for next Saturday. The Governor of

Berwick met us, greeted us with a volley of artillery, and invited us to supper. He puts no obstacle in our way, and gives us a passport for post horses. I hope to continue my journey before Gray is ready. I shall carry out your instructions, sent by Master George Young.

'This Munnunday at Berwyk.'

Holograph letter, trace of seal, $\frac{1}{2}$ p. Vol. A, 174.

Printed in *K.J.S.*, 118.

CLII

Master of Gray to Maitland

20 December 1586.

I am sending you letters which I received to-night at Alnwick. Return both the letters by the first messenger, who, I think, will be my brother William. You may see that you have a friend more than you expected, and I one fewer. Walsingham is urging severity in dealing with Queen Mary, and making 'my credict diminisit' by lies. To-night I shall leave Melville and all my train to follow as they may. I hope to reach Ware on Saturday morning. I am alone but for Roger Ashton¹ and two servants, because Mr. George Young cannot ride post on such bad roads. I shall learn from Keith if there is any danger, for I hope to send Roger for him on Saturday at night. According to his advice, I shall either wait for Sir Robert and my train, or 'let them know my diligence in coming singlie.'

I send you here a letter in cipher, deciphered, 'quhair you may sie the knaifrie of the man ye vat of.'² Send it back by my brother but not in the packet. 'Mr. Baumour,' Sir John Selby's son-in-law, tells me that I 'ves none so veil lykit of in England in my tym, so that ye may sie this man hes no vil I should have maid this voyage.'

'From Anwick this 20 of Decemb. 1586.'

Holograph letter, seal, 1 p. Vol. B, 335.

Printed in *K.J.S.*, 119.

¹ See *K.J.S.*, 22 and n.

² Presumably Archibald Douglas. See *ibid.*, 119.

CLIII

Leicester to James VI.

31 December 1586.

I apologise that I have not answered several letters from you, since, as Archibald Douglas was present on the occasions when I should have written, I caused him to give you 'my poore opinione.' I admit that you may reasonably plead for your mother, but it is unwise to use 'such pikant ways' as may offend Elizabeth, who has been very patient with her. You, being a sovereign prince, ought to regard the matter from the standpoint of princes, and consider what you would do yourself in like circumstances. Think well of Elizabeth's action in this case. 'Remember how nere yt ys to you and how much nerer yt may be to you.' All the world knows that my mistress's death might be as prejudicial to your interests, as your mother's liberty would formerly have been. If what I hear is true, Mary's will would dispossess you, both of the crown of Scotland and of your claim to that of England. 'For no cause except a just cause,' give offence to Elizabeth, who more than any other 'may doe the most good or most harme.' You must deal 'more moderatly' about your mother. Her case is not worth the losing of such a friend as the Queen of England, and her friendship may easily be had and kept, and also easily lost.

Finally, I exhort you to tolerate none 'that shall in any way seke the least dyshonor to your trew professed Religion.'

'From Grenwich this last of December.'

Original, autograph signature, seal, $5\frac{1}{2}$ pp. Vol. A, 184.

Printed in *K.J.S.*, 122.

CLIV

Sir Robert Melville to Maitland

9 January 1587.

I send this by sea, but I hope that you will have other letters before it reaches you. Upon 30 December, we

came to Ware, where the Master of Gray had arrived two nights before. We found Douglas and Keith with him, and all four of us held a consultation. We told Douglas that he was widely suspected in Scotland, although not by the King, who cannot believe that a man who has received such great favour would fail to do his duty. He made a satisfactory answer, if his actions correspond to his words. On the next day we reached London and asked for an audience. We first received answer that her Majesty understood we 'had delt with' the French ambassador, and had been accredited to him and not to her, although in truth we refrained to speak with Bellièvre, who had taken his leave of the Queen the day before our arrival. We thought it inexpedient to see anyone before we had had an audience, although Bellièvre remained for five days after our coming. Upon 6 January, we had audience in the Presence Chamber. As it was 'ane solemne daye,' and 'dansying and playing' were proceeding, we could have no serious conversation, although her Majesty stated that she regretted her life could not be safe while Mary lived. She alluded to the King's letter. We told her that if she interpreted it according to his meaning, and 'in als gud part as his majeste acceptyt harder letters' from her, there would be 'no occasyone of offence'; and, moreover, he had given satisfaction in subsequent letters. From her speech, and from what we learn daily, we fear the worst. Leicester has been courteous to us, but speaks in the same tenor. Yesterday we visited the French ambassador resident, who gave us a summary of Bellièvre's negotiation. He dealt discreetly, and made good offers for Elizabeth's safety. Yet we can hear nothing but the worst, and it is reported that Mary is already executed. We are to have audience to-day, and thereafter we will send a report to the King, unless we have ourselves to go back at once. Since our arrival Gray has acted discreetly, and Keith has done his utmost.

'The nynthe of Januar at Loundoune.'

Holograph letter, seal, 2 pp. Vol. A, 177.
Printed in *K.J.S.*, 135.

CLV

Sir Robert Melville to Maitland

10 January 1587.

Since I wrote, we have had an audience, when all our offers were refused, and we found 'nothing bot extremite ment' towards Mary. I followed instructions as closely as I could, saying nothing to irritate. We had already written separate accounts of our proceedings to be sent to the King in the hope of receiving an answer before our departure, but as at our last audience the Queen urged us to make our offers all together, since we could have no further delay, nor assurance of Mary's life, we accordingly wrote them out in such a form as we were led to believe would be most acceptable to impartial persons. It appears, however, that their resolution is already taken, and that no overtures will have any effect. The Council would have despatched us at our last audience, and would have refused to grant an hour's respite, notwithstanding any offer in his Majesty's name. Their 'hard speachis' were chiefly directed against me, because I was particularly compelled to answer 'syk poynts as I could not of raysoune omit.' We intend to ask for a farewell audience to-morrow.

'The tenthe of Januar at Loundoune.'

Holograph letter, seal, 1½ pp. Vol. A, 173.
Printed in *K.J.S.*, 137.

CLVI

George Young¹ to Maitland

10 January 1587.

We are here in the utmost perplexity, coldly received by her Majesty, more coldly by the Council, and ignored by 'our haill acquentance.' We are disheartened on every side by indications 'that we deale for a dead lady.' As yet we have had only one audience, and there her Majesty

¹ George Young, Clerk of Privy Council, accompanied Melville and the Master of Gray, although not himself an accredited ambassador. (*K.J.S.*, *ad indices*.)

assured us that she did not know whether Mary were alive or dead : that she had sent out the warrant long ago, and did not wish to be informed of the execution. Since then all our information is to the effect that she is dead. This afternoon our ambassadors have arranged to make their offers, but I hope they will not do so, unless they are first assured 'that sho is still alyve that they deale for': otherwise their commission has expired. There is no other hope but that, if she is not already executed, she shall be this week, in spite of all our overtures. Bellièvre has already fully carried out his instructions, which were exactly similar to ours ; and all was to no effect. As we have nothing more to say, we can hardly expect a different answer. If Elizabeth had intended to yield, she would have done so as a concession both to France and Scotland, and not to us alone. I have no time just now to write a detailed account of everything, but if we write 'nocht frelie' by Restalrig, our excuse is that we fear the letter may be intercepted. Yesterday, a packet that the French ambassador was sending to King Henry was snatched from the two gentlemen who were taking it to Bellièvre. Châteauneuf is going to court to-day to state that if the packet is not returned to him, he will depart to-morrow, unless forcibly detained. He is charged with being art and part of a new conspiracy against Elizabeth, and we are secretly informed that she has written to ask the French king if he was acting according to the royal instructions : if not, he is to be immediately seized and tried as a private person. He heard the news this morning and protests his innocence. He suspects that he has been accused by Douglas, and, certainly, when we went to him yesterday, Douglas made the excuse that he had an engagement with Leicester, and had also to go to court to order bucks for his Majesty. We deeply regret that we did not follow your parting advice ; if we had, the secrets which the King commanded us to communicate to Douglas would not now be in so many people's mouths. At the time he promised to agree to any action that we thought best, but since then he has told Gray plainly that he will

not offend Elizabeth, on whom he is solely dependent, and that he would advise his Majesty not to risk anything by an earnest appeal for a cause so universally unpopular as his mother's pardon. He says that his friends advise him to make sure of another country, in case we fail in our mission : that, should this happen, he will remain where he is, and hope to be again of service to his Majesty, if occasion arise. He is much afraid that your correspondence with Walsingham will turn to his prejudice, and is therefore anxious to keep Gray on his side, urging him not to lose favour with Elizabeth by over great zeal in a hopeless cause. He declared that he had learned from Walsingham that I had come with secret instructions, and had asked for an appointment to reveal them. Douglas had twice before invented lies about me, 'and the devill him selff could never have devysit ane falser nor this is.' Truth to tell, I have never met nor sent to Walsingham since our arrival, and have refrained from delivering your letter until I learn the result of our mission. Gray would not let me accuse Douglas because he had promised him not to tell me.

News has just come that another of the French ambassador's men has been seized, and several courtiers, companions of the alleged agent of the plot, have been arrested and imprisoned. All these things are mere pretexts 'to post away' Mary's life. Gray has this moment sent Captain Bruce to tell us that he hears from 'ane gentilman of credite' that she was executed last Thursday evening, and that Elizabeth, on reading the executioner's letter on Friday, immediately said with tears that she was sorry. I cannot give you this for certain, but neither can I prove the contrary.

'From Londoun this tent of Januer 1586.'

I was too busy writing this letter to go to court, and I have not despatched it till I should hear the result of their audience. Their offers have not had the effect hoped for, but, rather, moved Elizabeth to 'a great disdayne.'

On retiring, they vainly requested that Mary's life might be spared for ten or twelve days, until the King could be

informed. Melville pled for only eight days, but she refused to grant even an hour. They, thinking that they can do no further good here, are going to send William Murray to-morrow with Restalrig to inform his Majesty of their return and of their answer. They will give their report verbally 'for feare of intercepting.' Douglas intends to remain: even if sent for, he is likely to think twice before he obeys. To-morrow we shall 'send to crave our leve and passport.'

Holograph, seal, 3 pp. Vol. A, 175.

Printed in *K.J.S.*, 139.

CLVII

Memorial to James VI. from Master of Gray

12 January 1586-7.

Recapitulates the account of proceedings given by Young. He states that he reached Ware on 24th, and met Melville on the 27th: that in London 'never man send to weilcom or convey us.' Records interview with Leicester on 8th January, intercourse with French ambassador, and details of audience on 10th, when 'all wes refusit,' and Elizabeth 'verie dispytfully repetit all our offres in presence of them all.' When Gray urged that, if Mary demitted her claim to James, the Catholics would cease to plot in her interests, and when Leicester explained this to mean that James should be put in his mother's place, Elizabeth flew into a passion exclaiming, 'Tell your King, what good I have dune for him in houlding the Croun on his head since he wes borne; and that I mynd to kepe the league that standis now betwene us, and if he brak, it shalbe a double fault.' Gray considers that the determination to take Mary's life proceeded from the Council rather than from the Queen, and would destroy friendly relations with Scotland. Elizabeth and Leicester have desired to confer with him in private, but this he is determined to refuse, so that all may know that he 'in particulaire wes no wayis tyit to England.' They are going to seek an audience where they mean to deal 'sharply,'

because in honour they can say no less than the French ambassador.

'From Loundoun this 12 of January 1586.'

Holograph. Vol. C. No. viii in *Illustrations*.

Printed also in *K.J.S.*, 145; Robertson, Appendix L; *Papers of the Master of Gray*, 126-130.

CLVIII

Master of Gray to Maitland

12 January 1586-7.

I send this with an enclosure to the King. I beg you to give his Majesty a good account of my proceedings and let not my enemies have the better of me. Advise him that his best way does not lie in friendship with England. Douglas has been misrepresenting you. He 'hes bein a poisoun' in these negotiations, for his opinion carries much weight. He does not care, because he says that in the end the King will be forced 'to deall this vay ether by fair meinis or necessitie,' and then he will be welcome. The alleged French conspiracy has done us a certain amount of harm, because the Council could not persuade Elizabeth to take Mary's life until this plot was invented. We are going to defer our report until we come, since we are well informed that the messenger is to be seized on the way. We expect to be home about the 24th. 'Retire the inclosit from his majestie and keipe it.'

From London this 12 of January 1586.

Holograph, trace of seal, 2 pp. Vol. A, 179.

Printed in *K.J.S.*, 150; Robertson, Appendix L; *Papers of the Master of Gray*, 131, 132.

CLIX

Sir Robert Melville to James VI.

20 January 1586-7.

Since sending off our last letters we have had audience. The Queen seemed to listen favourably to our overtures, but the Council would not be moved. She asked us to postpone our departure for two days until she had taken advice upon our offers. In the interval she has become

'moyr hard' on account of some letters, which, we are told, have come from Scotland, reporting that 'your majeste takys not this mater to hart.' We had just removed such an opinion which her Majesty had been led to believe by 'synister informatyoun.' Now these new reports are likely again to hinder our commission. Alexander Stewart¹ is to be sent to Scotland without our consent. We bade him desist, because such proceedings do harm, and he is not a suitable agent. Gray has acted well and wisely. Keith has left nothing undone. Young has helped us much by good advice and diligent care for your service.

'At Loundoun the xx of Januar.'

Holograph letter, trace of seal, 1½ pp. Vol. A, 181.

Printed in *K.J.S.*, 160; Robertson, Appendix L; *Papers of the Master of Gray*, 132, 133, where the date is 26 January.

CLX

Sir Robert Melville to Maitland

20 January 1586-7.

[Recapitulates the account of their audience, and the report spread by alleged letters from Scotland 'that hys majeste takis not this proseding to hart accordyng as we haif gevyne fourthe.'] It is said that Alexander Stewart is being sent to the King, by his own request. He undertakes more than he can perform, and ought to be taken to task if he does come. I advised him to give up this mission, which he promised to do; yet I am informed that he still intends to go. In the meantime he is doing his utmost to persuade Elizabeth that they have 'sure intelligens' from Scotland, and urges us to have it confirmed. Up till now we have acted moderately in our negotiations in order to avoid giving any unnecessary 'occasyoun of offens.' Thus we had somewhat appeased the Queen, who had been much offended at our first two audiences, but now these slanders have renewed her belief that the King is not in earnest in 'this prosedings, bot will easelye dygest it.' The rest I remit to our meeting, as we

¹ Sir Alexander Stewart had been sent by James in the embassy with Gray and Melville (*K.J.S.*, 158 and n., and *ad indices*).

hope to depart within two days, if not detained on account of 'thyre practysis.' Therefore, please hasten to despatch a warrant for our recall: and I hope it will meet us on the way.

Concludes with references to his fellow envoys.

'The xx of Januar at Loundoun.'

Holograph, seal, 2½ pp. Vol. A, 171.

Printed in *K.J.S.*, 162.

CLXI

George Young to Maitland

20 January 1586-7.

[Begins with an account of the 'last audience' on 15th January, when the Queen appeared reasonable but the Council remained obdurate.] This afternoon, therefore, we have requested our leave. They are encouraged to push things to extremity because letters from Scotland persuade them 'that his majestie dois all this perfunctorie and that he could with tyme digest the worst.' This idea is encouraged by 'our awne Sir Alexander Stewart,' who in spite of all the prohibitions of the ambassadors, is determined to take letters from the Queen and Leicester to his Majesty, and reports that he 'knewes further of his hienes mynde in all thir materis.' I trust that the King will take steps to deal with him. We understand that Randolph and Killigrew are to be sent to try to persuade James, if Stewart fail. If they do come, please do not hear them till we arrive: and, should we fail to obtain our leave at our next audience, send a letter speedily to recall us. Address it to all four ambassadors, 'that it may try all thair obediences.' I have not yet delivered your letter to Walsingham. I am waiting to know the result of our negotiations, lest otherwise my action should be 'sinisterly interpreted' by those who are jealous of your correspondence.

'From London this xx of Januar, 1586.'

Holograph, seal, 1 p. Vol. A, 176.

Printed in *K.J.S.*, 165.

CLXII

Master of Gray and Melville to James VI.

21 January 1586-7.

They give an account of their 'last audience' and of the evil effects of 'certane letters' from Scotland. They ask James to consider the 'great disgrace' that Stewart's mission will cause them, 'gif he be not tane ordour with before that he be further hard'; and not to give audience to any other ambassadors that Elizabeth might send until he had heard their own report.

'From Londoun this xxj of Januar 1586.'

Original, autograph signatures, seal, 1 p. Vol. A, 180.

Printed in *K.J.S.*, 167; Robertson, Appendix L; *Papers of the Master of Gray*, 134.

CLXIII

Master of Gray to James VI.

21 January 1586-7.

[Gives an account of proceedings, stating how they had with difficulty removed the impression that the King's 'dealing wes superficiall,' and how they had worked a change in Elizabeth's attitude, until the recent letters came from Scotland. Reports the negotiations of Stewart with Elizabeth and Leicester, and advises James to disavow him.] The English Council mean to persuade the Queen to proceed to the execution of Mary, because the reports convince them that you do not really care; and they mean to detain us here until they obtain confirmation of this view. If, therefore, an ambassador come, it would be well not to acknowledge him until we arrive. We have sent to-day to beg a farewell audience, but we fear that we shall not receive our dismissal till they have had news from France and Scotland. If they fail to have assurance of your indifference, all may still go well. Melville, Keith and I will do our utmost. Elizabeth is undecided, although the Council is 'verie extreme,' Burghley being the

'most temperat' of their number. If we cannot obtain 'a full grant' of Mary's safety I think we may secure a cessation of proceedings for some months, unless we are frustrated by 'knaifrie dealing.' In several public performances 'they have brocht your mother in a rope to the Quene of England in derision, whereof we mynd to compleine.'

From London, this 21 of January 1586.

Holograph. Vol. C.

Printed as No. IX in *Illustrations*.

CLXIV

Leicester to James VI.

23 January 1586-7.

Excuses himself that he cannot perform the King's desires, because he is bound 'to doe the faythfull offyce of a trew counsellor and servant to the Queen my Sufyrayne,' and to conform to the action of the whole Council. Asks credit for the bearer, the Master of Gray.

Holograph.

Printed as No. X in *Illustrations*.

CLXV

Walsingham to Maitland

27 January 1586-7.

I am very sorry that through my absence from Court I could not procure for 'your kindseman and frende and my old acquaintance Mr. Roberte Melvill,' such courtesy as you requested and he deserved. I asked Mr. Secretary Davison, in my absence, to inform the Queen of your testimonial of him, and if this has not had the result for which you hoped, the reason lies in the 'unpleasantenes' of the commission. All who are thought to favour the Queen of Scots are unpopular here with 'suche as are knowne to be either religious towards God, or dutifully

affected towards her majestie.' The rest I remit to the bearer, my good friend, Mr. George Young.

'From my house in London the 27th of January, 1586.'

Original, autograph signature, seal, $\frac{1}{2}$ p. Vol. A, 236.

Printed in *K.J.S.*, 185.

CLXVI

Master of Gray to Maitland

29 January 1586-7.

[To the same effect as the letters of 20th and 21st January.] If you can prevent reports coming from Scotland, we still have some hope, at least for delay. News comes from Spain that Philip intends to attack Elizabeth's dominions this spring.

'From Loundoun this 29 of Januar 1586.'

In a postscript, he complains of their hardships and expenses, and begs for a hasty recall, sending Douglas's 'a pairt to use as ye find him deserve.'

Holograph, seal, $1\frac{1}{2}$ p. Vol. A, 178.

Printed in *K.J.S.*, 183.

CLXVII

February 1586-7.

The death of the Scotische quene.

On Veddneisday the aucht of Februar 1586 thair assemblit at the castell of Fothringay in Northamptoun the erles of Schreusburrie and Kent with dyvers knyghtis and gentilmen justices of peace in those cuntreys about 8 of klok. The erles and sheref of the schyir vent up to the Scottis quene quhome they fand praying on hir kneis with hir gentil vemen, and the sheref remembering hir that the tyme wes at hand, scho arose and said scho was reddie. Then scho wes laid be the armes from hir chalmer unto the chalmer of presens quhair with mony exhortatiounes to hir peopill to feir God and leif in obedience, kissing hir vemen, scho gawe hir hand to hir men to kiss, praying them all not to sorrow bot to rejoyse and pray for hir. Scho wes brocht downe the

stair [by] soldiers. Then, being below, scho stayed, and luiking bak scho said scho wes ewill attendit upon, and besoucht the lordis for vemenheid saik, scho micht have tuo of hir vemen to await upon hir. They said they var onlie withhaldine that it ves feirit, that by thair passionat crying they valde mutche disquyet hir spreit and trubill the executioun. Scho said, I vill promeis for them they sall not so do. Then twa quhome scho vald var brocht to hir. Then did scho speik mutche to Melweill ¹ hir man and charget as he vald be answerable befor God to delyver hir speitches and messegis unto hir sone in sutch sort as scho did speik them, all wiche villit him to governe in the feir of God, to tak heid to quhome he betuik his cheifest trust and nocht to be ane occasioun to be ewill thoct by the quene of England hir gud sister, to certefie him scho deit ane trew Scott and ane trew Frensche and ane trew catholique. About ten of the klok scho vas brocht in the grit hall quhair in the midst of the hous aganis the chimnay (in the wiche ther wes ane grit fyir) wes ane scaffold sett up of two futt heicht and twelf fit bred, having two steppis to cum up. About the scaffold vent ane tawill half ane yaird hie round, covered about with blak cottoun. So wes the stoole the buirdis and the blok and the pillow to kneill upon. Thair did sitt on the scaffold the two erles the schirve and the executiouneris. Quhen they var sett Mr. Beill clerk of the counsall did reid hir majesteis commissioun for the executioun under the brod seill. Eftir wiche the dene of Petirburrow, from direction off the lordis being provydit to speik unto hir for hir bettir preparatioun to die ane penitent cristian in the trew faith of Chryst, began at the motioun of the erle of Shreusberrie his exhortatioun, wiche als sone as he hed begun, scho said with a loud voce, Peice Mr. Dene, I vill not heir yow. Then he said, Madam, I am commandit by hir Majesteis counsall to do this dewtie. I will say nothing bot that wiche I vill justifie befor the majestie of the Most Hiest. So procedand, scho cryed a

¹ Sir Andrew Melville of Garvock, Mary's steward. A similar 'Account of Mary's Death' is given in *C.S.P.*, ix. no. 300, but the narrative has been rendered very imperfect through decay of the document.

loud agane, Peace Mr. Deane, I have nothing to do with yow nor ye hawe nothing to do with me. Then wes he villing to silence for ony forder molesting hir mynd. Scho said, So it is best, for I am fullie settlet and resolvet to die in the catholique Romische fayth. Quiche quhen the lordis hard, the erle of Kent said, Albeit Madam yow refus to heir the offred mercitis of God, yit we will offer our prayeris for yow, howping He vill heir us. And gewe it will stand with his guid vill He vill wichaif¹ to oppin your eyis and to lichtin your hairt to the trew knowlege of his vill and to die therin. Scho [said], That ye may do and I vill pray. Then the dene kneiling doune pronuncit ane prayer wiche standeris by followet. All wiche tyme scho, having a crucifix in hir handis, prayed mutche lowder in the Latine. The prayer being endit, scho knellit doune and prayed to this effect, for Crystis afflicted church and for ane end of thir trubillis, for hir sone that he nicht trewlie and uprichtlie be convertit to the catholique Romische church. Scho prayed that the quenes majestie nicht long and peciabile prosper and serve God. Scho confest that scho houped onlie to be saiffed by the blood of Jesus Chryst, at the feit of quhose pictour presented on the crucifix scho vald villinglie sched hir blood. Scho prayed for all the sanctis of heavine to pray for hir, that the God of heavine of his guidnes vald divert his plaig from this sillie Iland, that God vald grant hir lyfe and forgewe hir hir sinnes, and that he vald receawe hir saull in his heavinlie handis. And then scho arose up, and wes by tuo of hir vemen and the two executioneris disrobed in hir pitticott, and then scho said, Scho wes nevir vont to be drest befor sutche a number nor by sutche groomes. Then scho kissed her vemen and the on² began to cry. Scho said, Peice, cry not, I hawe promiseist the contrare. Cry not for me, bot reiose; and liftit up hir handis and blisset them, so lykvyes hir men, kneiling not far of. Then sudentlie scho kneillit doune most resolutelie, with the leist takin of feir of death that nicht be. Eftir ane of hir vemen had knut ane kerscheiff

¹ wichaif = vouchsafe.

² the on = one of them.

about hir eyis scho spak aloud thus in Latine, *In te Domine confido ne confundar in æternum, etc.* And then lay scho doune verrie quietlie streitching out hir body and, laying out hir neck ower the blok, cryet, *In manus tuas Domine, etc.* On of the executionaris held doune hir handis, and the other did at tua straikis with ane ax cut of hir heid, wiche fallin out of hir attyir semit sumequhat gray; so, halding it up to the peopill cryed, God sawe the Quene and so perische all the enemeis of the gossell. All thingis about hir, belonging to hir, var takin from the executionaris and nocht sufferet so mutche to hawe ther aprones befor they war vesched, the blodie clothes the blok and quhatsumevir ellis var brunt in the chalmer, hir bowallis takin out imbalmed seired and drest to buriall.

Copy, 2 pp. Vol. A, 232.

CLXVIII

10 February 1587.

The mannour of the execution of our soveraigne Lady Marie Queene of Scotts whoe was cruellie putt to death in England att Fothrengam Castle the 8 Febr. 1586.

It being certified the 6 of February last to the said Queene by the Earle of Shrewsbury and the Earle of Kent, and also by Sir Amyas Paulett and Sir Drue Drurye her governours, that shee seemed not terrified or dismayed in anie her outward gesturs or behaviour but rather with smilinge and pleasinge countenance and merie cheere, disgested and embraced the said admonitions, and prepared her (as shee said) to her unexpect[ed] execution, sayinge that her deathe should be noe lesse welcome unto her then if shee had lived and possessed the greatest kingdome one the earthe, and therefore becaus shee perceaved herselfe enabled by Gods spirit to dye christianlyke in the christian catholicke faithe, mean[ing] the faith professed in the Church of Rome; usinge these words withall, that that soule was to farr unworthie the fruicion of the joye of heavin whose presence (meaninge the bodie) would not in

this would be contented to endure the stroke of an executioner for a moment: and, that spoken, wept bitterlie and became silent.

'The said 8 day of February being come and the time and place appointed [for] the execution as aforesaid, the said Queene being of stature tall [and] corpulent, somewhat roundlie shouldred, her face fatt and broad, double chinned, hasell eyed and blacke haired,' wore a lace-edged head-dress, an *Agnus Dei* about her neck, had a crucifix in her hand, and beads at her girdle with a golden cross at the end of them, and wore also a lawn veil. She was dressed in a black satin printed gown with a train and long sleeves to the ground.

Beneath she wore a kirtle of figured black satin, a petticoat bodice of crimson satin and skirt of crimson velvet. Her shoes were of Spanish leather with the rough side out, her garters, green silk, 'her nether stockings' woollen, her upper stockings silk trimmed with silver.

Thus apparelled, and with cheerful demeanour, the Queen was 'caried and supported oute of her chamber into an entry next the greate hall by one of Sir Amyas Paulets cheefe gentlemen, Mr. Andrewes the heighe sherife going before.' She 'verie willinglie' proceeded to the place of her execution where she was met by the Earls of Shrewsbury and Kent, by her custodians, Paulet and Drury, 'and divers knyghts and gentlemen of accompt.' Here Melville, one of her servants, kneeling before her in grief and tears, exclaimed that he was the unhappiest of men to be the messenger of 'such unspeakable sorrowe and heavines as I shalbe when I shall report that my gracious Queene and Mistris is beheaded in England.' Tears drowned further speech, and his mistress 'lykewise pouring out her dyinge teares,' answered him.

She exhorted him to be of good cheer, because she was nearing the end of her troubles in this world of vanities and sorrows; and bade him declare how she died true to her religion and 'a true woman of Scotland and France.' Might God forgive them who thirsted for her death. She solemnly averred that she 'was ever willinge that Scotland

and England should be united togeather,' and desired to be commended to her son. To the 'state and kingdom of Scotland' she had done nothing prejudicial. Then with tears she kissed 'good Melvin' farewell, beseeching his prayers.

Thereafter she turned to the lords, to ask some requests of them. One was about a sum of money for her servant Curle; another, that her servants might enjoy their legacies in peace. Sir Amyas Paulet assured her that he knew about the money and that she could put her mind at rest. Then she requested that her servants might attend her at her death, so that they might 'behold howe patientlie theire Queene and Mistris shall endure her execution and that therby they may be able to make relacioun when they come into theire cuntries howe I died a true constant catholicke in my religion.'

To this the Earl of Kent answered that her desire could not well be granted. It was feared that their behaviour would have a disturbing effect, and that they 'would putt some trumperouse superstitioun in practice,' as, for example, by dipping their handkerchiefs in her blood. The Queen replied that she would answer for them, that they would do none of these things. They, poor souls, would wish to bid their mistress farewell, and surely the Queen of England 'beinge a Maiden Queene will vouchsafe in regard of womanhood that I shall have some of my owen people about me at my deathe.' Seeing, however, that she could not easily obtain her request, 'of meere greefe' she burst into tears, saying that she was the cousin of the Queen, descended of the royal blood of England, 'a married Queene of France, and anoynted Queene of Scotland.'

Whereupon, after consultation, it was decided at her earnest entreaty to let her have 'halfe a dozen of her best beloved men and weomen.' Of her men she chose Melville, her apothecary and her surgeon, and one other old man; of her women she chose 'those 2 of her bed chamber.'

After this, being supported by Sir Amyas Paulet's chief gentleman, and with Melville bearing her train, accompanied

by the above lords, knights and gentlemen, preceded by the sheriff, she passed into the hall, and 'with an unapaied countenance, without anie terrour of the place the persons or the preparaciouns of her deathe, steps up to the scaffold.'

The Earl of Shrewsbury sat on her right, the Earl of Kent on her left, the two executioners stood opposite, and the knights, gentlemen and others stood around the rails of the scaffold. Then silence being made, Mr. Beale, clerk of the council, read the Queen's commission, at the end of which the assembly cried, 'God save the Queen.' The Queen of Scots listened in silence with a careless mien as if the commission concerned her not at all, or as if it had been her pardon. Then Dr. Fletcher, dean of Peterborough, standing beyond the rail, began his exhortation, but she interrupted him, saying she was resolved to spend her blood in defence of the 'ancient catholicke Romane religion.' He exhorted her to repent and be saved; and then the two executioners knelt to ask her forgiveness.

Thereupon they began to unrobe her. She laid her crucifix upon the stool, and when one of the governors took the *Agnus Dei* from her neck, she seized it, saying she would give it to one of her women and that the executioner should be paid for it. During the whole course of the unrobing she maintained 'a kynd of gladnes and smiling,' lent a helping hand, and made pleasantries about 'such groomes to make her unready.'

At length when she was 'stripped of her apparell savinge her petticoat and kertle,' her women fell into 'such a mournfull and lamentable plight,' that she embraced and blessed them, exhorting them to pray for her and rejoice that she had come to the end of her troubles.

Then she turned to her menservants, who were standing on a bench near the scaffold, weeping, crossing themselves and praying in Latin. She likewise crossed them, bade them farewell and besought their prayers 'even to the last hower.'

That done, one of her women folded a *Corpus Christi* cloth cornerwise, kissed it, and with it bound her mistress's head. Then the two women retired mournfully, and the

Queen, kneeling on the cushion, recited, in Latin, the psalm *In te Domine confido*.

Again and again she entreated Mr. Dean to trouble her no further, because she was determined to die staunch to her own religion. When the Earls offered to pray for her, she thanked them, 'but to joyne in prayer with you my lords, who are not of one and the same religion with me, yt were a sinne and I will not doe yt.'

Then Mr. Dean was bidden again to pray, but the Queen 'furnished with her superstitious trumperie' began with tears and in a 'loud voice and verie fastlie to pray in Lattin and never harkned to Mr. Deane.' At one time when 'by reason of over much weeping and mourninge as yt seemed, shee began to slyd from the stoole' she continued her prayers on her knees. When the Dean had finished she went on to pray for the Church, for her son, for the Queen of England, and for her enemies.

Thereafter, having kissed the crucifix and made her confession, she groped for the block, and quietly laid down her head, stretching out her arms and legs, and crying three or four times, *In manus tuas Domine recomendo spiritum meum*.

At last, one of the executioners held her 'slightlie with one of his hands,' while the other with two strokes of his axe severed her head 'savage ane litle grisle.' When this had also been cut off, he held up her head, crying, 'God save the Queen.' Then the lawn dressing fell away, whereupon her head 'appeared as graye as if shee had bine 60 and tenne yeares old, her face beinge in a moment soe much altered from the forme which shee had when shee was alyve.' . . . 'Her lipps stirred up and doune almost an quarter of an hower, after her head was cutt off.'

Then Mr. Dean said, 'Soe perishe all the queens enimies,' and the Earl of Kent, standing beside the dead body, wished likewise.

Then one of the executioners, in pulling off her shoes, found her little dog hidden under her clothes. It 'could not be gotten furth but by force, and afterward would not depart from the dead corps but came and ley betwixe her

head and shoulders, a thinge diligentlie noted.' The dog was carried away to be washed of the blood-stains. All things blood-marked were washed, except such as were buried.¹ The executioners were paid entirely in money, 'not havinge anie one thinge that belonged unto her.'

Afterwards the hall was cleared except for the Sheriff and his men, who carried the body into a 'greate chamber' to be embalmed by the surgeons.

'And thus I hope I have certified your honour of all circumstances as hapned by her, or anie other at her deathe, of which things manie might well have bine omitted as not worth the notinge, yet becaus your honour desyred to knowe all, I have certified all. Soe rests att your Honouris command and take my leave from

this 10 February 1586.'

Copy, 7 pp. Vol. A, 192.

This is in substance the Narration of Richard Wingfield, printed in *Trial of Mary Queen of Scots* (A. F. Steuart), pp. 173-184.

Various accounts of the Queen's death, all more or less similar, are to be found in *C.S.P.*, ix.; *Historical MSS. Commission, 9th Report, Part II.*, p. 367; Ellis, *Original Letters*, 2nd series, vol. iii., p. 113; Maxwell Scott, *The Tragedy of Fotheringay*, 249-265.

CLXIX

D.O.M.

To the memory of Mary Stewart, Queen of Scots, Dowager of France, daughter and sole heir of James v., King of Scots, of the lineage of Henry vii. and Edward iv., Kings of England, wife of Francis ii., King of France, true and undoubted heir to the crown of England, and mother of James, most potent monarch of Great Britain.

Of royal and ancient stock, kinswoman of all the greatest princes of Europe, and endowed with the most exquisite gifts of mind and body. But so great are the changes of human affairs, that after nearly twenty years of captivity, of striving against the slanders of the malicious, the suspicions of the fearful and the plots of enemies bent on her

¹ Cf. p. 267, where it is said that these things 'var brunt.'

life, in the end she was beheaded by the axe, an unheard-of and dangerous example for kings.

Having despised the world and vanquished death, she commended her soul to Christ her saviour, the hope of the kingdom and of posterity to James, her son, and to all spectators of the unhappy slaughter, the example of patience; and thus with piety, long-suffering and courage she laid her royal neck beneath the accursed axe, and passed from mortal life to heavenly immortality on 8th February 1587, aged 46.

Latin: copy, $\frac{1}{2}$ p. Vol. B, 350.

A Latin poem follows in four stanzas, beginning—

*'Si generis splendor, raræ si gratia formæ, probri nescia mens,
inviolata fides'*

and ending—

*'Det Deus ut nati, et qui nascentur ab illa, æternos videant hinc sine
nube dies.'*

Latin: copy. Vol. B, 351.

The text of the epitaph and elegy is printed in *C.S.P.*, ix. no. 299.

The Warrender copy gives the year, correctly, as 1587. A clerical error in the printed version has 1577.

Nos. CLXX-CLXXII: INTRODUCTORY

THESE three documents are all in the nature of memoranda. The first gives an interesting glimpse of the economic and financial affairs of the diocese of Moray and of the provision made for its bursars at the University of Paris. There is no real historical value in the 'Memorandum off the Kinges off the Steuartes' and of the 'Names of Persones quha deyit for the religioun,' but the miscellaneous nature of the contents makes it a fitting conclusion to a collection of papers of such varied range and scope.

CLXX

Roll of the Bishops of Moray

Fragmentary, beginning with Bishop Simon de Tonna, the fourth bishop in the episcopal succession, and ending with Mr. Alexander Douglas, who died on 11th May 1623. Only in the few instances following does this catalogue supply new information:

'William Spynie, chantor of Moray and doctor of the canon law. . . . He prosecuted the reparacioun of the cathedral kirk. And becaus throug the grypt hairshippis of the country the rentis of the Bishop and chapter wer ill payed and thairby thei not able to advance the work according to thair mynd, thair wes imposed upon the rest of the kirkes in the diocie a yearlie subsidie, and whairas some alledgit that what thei gave to sett fordward the work wes of favour and benevolens, the Bishop expert in the lawes pleadit in the contrair, and proved that in such ane clear case and so grypt necessitie, a reasonable thing may justlie and lawfullie be exacted.'

'John Innes, persone of Duffus and archdeane of Kaytnes. . . . A grypt part [of the steeple] is thocht to have ben buylt be him.'

David Stewart, brother of James Stewart. 'He took also grypt paines to have that sea weill ordoured, and for that end held dyveris generall convocatiounes of his clergie. One amongs the rest most remarkeable held in the moneth of August 1473, whair amongs uther thingis it wes statute that no chanone sould be admitted exeipt in thair generall convocatioun; that thair commoune kirkes sould be sett to nane bot the labourers of the ground; no pensioune sould be giffin foarth of thame, and such as had beene giffin wer recalled.'

'James Hepburne, a worthie man. He foundit a

bursarie in Paris for trayning up a certane number of Scottes youthes, speciallie of the diocie of Moray, in the knowledge of the Greek towng.'

'Robert Shaw, abbot of Paislay, a man of gryt vertue. . . . He wes exceedinglie loved and admired of all men. The bursarie foundit be his predecessor wes cairfullie intertaned be him, who also provydit Mr. George Lockart, professor of Theologie and provost of the college kirk of Crichtowne, then resident at Paris, ourseer of the studentis.'

6½ pp. Vol. A, 454.

Another short catalogue follows. 1½ pp. Vol. A, 458.

See *Bishops of Scotland*, by Keith and by Dowden; *Registrum Moravensis*.

CLXXI

'A catalogue of the Bishops of Sanctandrews fra the yeare of Christ 838 untill the yeare 1624.'

A list of forty-six names, without dates.

Followed by miscellaneous items about other bishops; quoting Buchanan and Leslie.

1 p. Vol. A, 435. There is a similar catalogue of 4 pp. in Vol. A, 464.

CLXXII

A Memorandum off the Kinges off the Steuartes
fra King James the first

King James the first rang 13 yeiris, and he wes slaine
in St. Johnstoun be the Graimes the 2 day of
Februar 1436 yeiris

King James the secund rang 24 yeiris and he wes
slaine with the chalmer of ane grit gun upoun
the 3 of August 1460

King James the thrid rang 28 yeiris and he wes
slaine be his awin sone at Bannaburne upoun
the xi of Junij 1488

King James the fourt rang 25 yeiris. He wes
[slaine] at Flowdaine upoun the 9 of September
the yeir of God 1513

King James the fyft rang 30 yeiris and he deyit in
Faikland upoun the 14 of December 1542

His dochter the queine wes borne the 8 of December 1542

The toun of Edinburgh wes brunt in Maij 1544

The cardinal wes slaine in the castel of Sanctandros
the 29 of Maij 1546

The feild of Pinkie wes strukin upoun the xi of
September 1547

Queine Mary dochter to King James the fyft wes
caryit into France about the sext yeir of hir aig
the 16 of August 1548

Queine Magdalaine come in Scotland in Maij 1534

Queine Marie wes maid regent of Scotland 1556

The reformatioun of religioun began at Perth 1558

Queine Marie come out of France and landit in
Leithe the 23 of August 1561

The Queine wes mariet upoun the king of France
[sic] the 29 of Julij 1565

King James the sext wes borne in the castell of
Edinburgh upoun the 19 of Junij 1566

And wes bapteisit in Styrlyng the 12 of September
in that samyn yeir.

King Henry father to king James the sext wes
murtherit at the Kirkafeild of Edinburgh the
10 day of Februar betuix 2 and 3 houris in the
morning 1566

The Queine and lordis conveyit thair airmeis at
Carberrie hil aganes utheris upoun the 15 of Junij 1567

The queine wes put in Lochlevin upoun the xvii of
Junij 1567

The erle of Murray wes chossin regent upoun the
23 of August 1567

The queine come furthe of Lochlevin the 2 of Maij 1568

The feild of Langsyd wes strukin betuix the queine
and the lordis the 13 of Maij at quhilk tyme
scho fled in England 1568

James erle of Murray regent for the tyme wes
murtherit in Lynlithgow be James Hamiltoun
of Bodwilhauch the 22 of Januar 1569

The erle of Lennox wes chossin regent the 17 of Julij	1570
The said erle wes murderit in Styrlyng the 4 of September	1571
The erle of Mar wes chossin regent the 8 of September in the foirsaid yeir and deyit upoun the 29 of October	1572
The castell of Dumbartaine wes won be the erle of Lennox, regent for the tyme, quha causit his captaines Thomas Craford with ane uther Ramsay and certaine uther men of weir steill the samyn be leddering the wallis therof, the 2 of Apryll	1571
¹ The castell of Edinburgh efter the trubles betuix Edinburgh and Leith wes wine fra the laird of Graing be the Ingilsmen upoun the day of Maij	1573 ¹
The bishop of Sanctandrois wes taine out of the said castell and execut in Styrlyng the sevint of Apryll	1571
¹ King James the Sext maid his entrie in Edinburgh upoun the sextene day of October	1579 ¹
The erle of Mortaine wes challengit for tresson, viz. for knowledg and conseiling king Haryis murther, in Halyrudhous the 20 of Januar	1580
The raid of Ruven wes the 23 of August	1582
James erle of Murray wes murtherit at Dunybirsil be the erle of Huntlie and his freindis the 7 of Februar	1591
Villiam Kircaldie laird of Grang with Mr. James his brother wes execut at the cross of Edinburgh for halding the castell of Edinburgh againes the kingis grace and his autoritie, the last of Agust	1573
My lord of Mortone wes execut at the cross of Edinburgh upoun the 2 of Junij	1581
My lord of Gowrie wes execut at Styrlyng upoun the 4 of Maij	1584

¹ Interpolated, in a browner ink,

The queineis grace landit at Leith upoun the first of Maij	1590
Hir grace wes crounit at the abay of Halyrudhous upoun the 17 of Maij	1590
My lord Bothuell with his company come to the kingis palice upoun the 27 of December	1591
The kirkis of Edinburgh wer destroyit and the imagerie therin, the 6 of Julij	1559
Hary Stewart our young prince wes borne in the castell of Styrlyng upoun the 19 of Februar	1593
He wes bapteisit in Styrlyng upoun the 30 of August	1594
The feild wes fouchin betuix the erle Argyll and the erle Huntlie, the 3 of October	1594
Captaine Mathow Rawling wes execut at the cross of Edinburgh, the 4 of December	1594
Hercules Stewart wes execut at the cross of Edinburgh, the 18 of Februar	1594
¹ The tumult betuix the king and the kirk upoun the xvii day of December	1596 ¹
¹ Johne erll of Gowrie wes slaine and his brother in St. Johnestoun upone the fyft of Augus ^{imvie} yeiris be Sir Johne Ramsay etc. for conspiracie aganes his Majestie. ¹	
¹ The Laird of Carmichall, warden, wes slain in Anderdail be the Airmstranges upone the fyftene day of Junij	1600
The singill cumbat wes fouchin betuix James Carmichell and Adame Brounfeild upoun the lynkis of Barnbowgall and the said James wes slaine be the said Adame upoun the 15 of Merche	1596
Johnne Lord Maxwell wes slaine be the laird of Johnstoun at Lochmaben in Annerdail upoun the 6 of December at thrie houris efter none	1593

The Names of Persones quha deyit for the religioun.
 Sir Patrick Hammiltoun abot of Ferne wes brunt at Sanctandrois upoun the first of Merche 1527

¹ Interpolated, in a browner ink,

David Straitone with Normont Gourlay wer brunt upoun the Greinsyd betuix Leith and Edinburgh	1533
Thomas Forrat freir, John Kello freir, David Sym- soun and Robert Forrest with wther four men of Styrling wer all brunt on the castell hill of Edinburgh	1542
Mr. Johne Wischet wes brunt in Sanctandros	1546
Walter Myll wes brunt in Sanctandros	1558

End heir.

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REPORT OF THE FORTY-FOURTH ANNUAL MEETING OF THE SCOTTISH HISTORY SOCIETY

THE FORTY-FOURTH ANNUAL MEETING OF THE SOCIETY was held on Saturday, 6th December 1930, in Dowell's Rooms, George Street, Edinburgh,—Mr. John Buchan, M.P., LL.D., President of the Society, in the Chair.

The Report of the Council was as follows :—

During the past year twenty-eight members have died or resigned, and fifteen members have been enrolled. The membership, including libraries, is now 637 as compared with 650 last year. The Society has no means of propaganda, and relies wholly on the enthusiasm of the members to maintain the very satisfactory state of its roll. This year one member in India has added four. Attention is therefore drawn to the form printed on the second page of the Annual Circular on which members are invited to send to the Secretary the names and addresses of persons likely to be interested in the objects of the Society.

Since the last Annual Meeting the second volume of the *Register of the Consultations of the Ministers of Edinburgh, 1657-1660*, has been issued. The thanks of the Society are due to the Rev. Wm. Stephen for his work. *The Minutes of the Justices of the Peace for Lanarkshire, 1707-1723*, edited by Dr. C. A. Malcolm, is in the press, and will be issued shortly as the second volume for 1929-1930.

Some of the volumes issued in recent years have considerably exceeded the length laid down in the Rules. Accordingly it is proposed to issue one volume for the year 1930-1931, namely, 'Miscellany Volume V.' A volume of this kind has a more general appeal than one confined to a single subject. The Miscellany will include the items already announced—'Additional Charters from the Fraser Collection,' 'Diplomatic Papers illustrative of the Flodden Period,' 'Correspondence of Sir John Gilmour, Bart., of Craigmillar, with John, Earl of Lauderdale and others,' 'Marchmont Papers relating to the '45'—together with 'Bagimond's Roll for the Diocese of Glasgow,' Dr. Annie Cameron's recent discovery in the Vatican Archives.

The two volumes of 'Warrender Papers,' to be issued for 1931-1932 under the editorship of Principal Rait and Dr. Annie Cameron, are also in active preparation. They contain much new material relating to Mary Queen of Scots, Maitland of Lethington, and King James VI., and promise to be among the most interesting and important volumes, both for the general student and for the specialist, which have been published for many years.

In addition to the volumes mentioned in last year's report as being in preparation, the Council has accepted the offer of Professor J. D. Mackie to edit an anonymous chronicle of the reign of James VI. (Bodleian MS. E. Mus. 55), and of Dr. W. C. Dickinson to edit the 'Barony Court Book of Carnwath, 1523-1542,' which the late Dr. Maitland Thomson frequently urged should be published. The Council has also placed on the list of works in preparation Dr. Annie Cameron's 'Correspondence of James II. King of Scotland with Charles VII. King of France,' from Continental archives, which throws new light on the foreign policy of Scotland during the period.

The Council has had under consideration the publication of

a 'General Index' to the First Series of the Society's publications, 61 volumes in all. It is estimated that the cost of completing the compilation and of publication will amount to £1200. Towards this expenditure, a member of the Society, Mr. T. W. Lamont of New York, has made a generous contribution. The Council hopes to be in a position to formulate definite plans in order that the wealth of material contained in the Society's publications may be made readily accessible to all students of Scottish history.

In terms of the Resolution of November 1918, Mr. James MacLehose, LL.D., now retires from his four years' chairmanship of the Council. His colleagues desire to place on record their appreciation of the very great services which he has rendered to the Society. He has placed freely at its disposal his unique experience acquired as editor of the *Scottish Historical Review* for twenty-five years, as well as his technical knowledge of publishing and printing. During his term of office the membership of the Society has increased by one hundred, and it is largely due to his untiring energy and enthusiasm that the Society is in such a flourishing condition. It is recommended that the Hon. Lord Sands, D.D., LL.D., be elected Chairman for the ensuing four years.

Sir James Balfour Paul, K.C.V.O., LL.D., has intimated his desire to retire from the Council. His colleagues have accepted this decision with great regret. He has been a member of the Council since 1892, and was Chairman from 1918 to 1922. He also edited for the Society *The Diary of Sir James Hope* and *The Diary of George Ridpath*. As Lyon King-of-Arms and editor of the Lord High Treasurer's Accounts he brought to the Council a wide knowledge of the national records and of historical documents, and the Council desires to give expression to the Society's appreciation of his many and valuable services. The members of the Council

retiring by rotation are Principal Rait, the Hon. Lord Sands, and Mr. J. R. N. Macphail. It is recommended that Principal Rait and Mr. Macphail be re-elected, that Mr. James MacLehose, LL.D., take the place of Lord Sands, and that Professor R. K. Hannay, LL.D., His Majesty's Historiographer in Scotland, be elected in place of Sir James Balfour Paul.

In the interests of Scottish history the Council welcomes the introduction into the House of Commons of the Bill entitled *A Bill to remove doubts as to the Powers of the Court of Session*, and recommends the Society to express its approval thereof.

The accounts, appended in abstract, show a credit balance of £718, 3s. 5d. on 11th November 1930.

The Hon. Hew Dalrymple moved the adoption of the Report, which was seconded by Mr. J. R. N. Macphail.

The Chairman, in supporting the motion, spoke of recent work in Scottish history. After congratulating Professor R. K. Hannay on his appointment as His Majesty's Historiographer in Scotland, he drew attention to the following publications:—Professor Baxter's *Copiale Prioratus Sanctiandree*, Miss I. F. Grant's *Social and Economic Development of Scotland before 1603*, Dr. Anna Ramsay's *Arrow of Glenlyon*, Mr. Donald Mackenzie's *Scotland: the Ancient Kingdom*, Dr. Thomas Davidson's thesis on 'Church Tenures in the Twelfth and Thirteenth Centuries'—still in manuscript in the library of the University of Edinburgh—Bishop Knox's *Leighton*, and the short histories of Mr. R. L. Mackie and Mr. George Malcolm Thompson. He also referred to the notable investigations of Dr. Annie Cameron in the Vatican and other continental archives, some of the results of which will eventually enrich the Society's publications, and continued as follows:—

'All historical work in Scotland is carried out under greater difficulties than, I think, in any other land. No British

Government has been kind to us in respect of our national records. The Historical Department of His Majesty's Register House, for example, is seriously understaffed, and but for the disinterested devotion of its curators, from Thomas Thomson downwards, the situation would be much worse. There is neither the staff nor the funds to compile those indices without which the records of a nation are not truly accessible to the student. This is a subject on which I might say much. The problem arises also, as you know, in connection with the National Library. It seems to me to be in an especial degree the business of the Scottish History Society to press, in the interests both of patriotism and of scholarship, for a fairer treatment of the land north of the Tweed.

'I would like, too, to plead for a large increase in the membership of this Society. Not that we have much to complain of. We have 650 members, and we are, I suppose, one of the largest societies of the kind in Britain. But we might be much larger, and the larger we become the more valuable will be our work; for, ladies and gentlemen, there is an immense field still before us. Your Council tries to vary the nature of the volumes as much as possible in order to attract every interest. Our publications—I do not think this is too much to say—have revolutionised the conception of many episodes and characters in Scottish history. But there is still a vast deal to be done. I should like to see our Society in a position to undertake on a large scale the publication of the records which enshrine the origins of our great Scottish industries. The Carron Iron Works, for example, which began on the site of the Battle of Falkirk, only fifteen years after the Jacobite and Hanoverian guns were silent—what a story might be made out of their history!—a story illuminating both for the economist and the student of society. That is only one example. The more we can document the initial stages of the various branches

of our modern Scottish development, the better we shall understand the problems we have to face to-day. We Scotsmen possess, I think, more than most people, the historical sense, and I would appeal for a still greater popular support for a Society which is in a special degree the guardian of our difficult and splendid past.'

Lord Sands moved a vote of thanks to Mr. Buchan. Mr. Alexander Morrison, Bridge of Allan, supported the Chairman's plea in respect of the national records, and was followed by Mr. Thomas Innes of Learney, who drew attention to the condition of the records of the Justiciary Court, and by Dr. W. K. Dickson, and Dr. H. W. Meikle. The necessity for maintaining the membership was urged by Mr. James MacLehose.

ABSTRACT ACCOUNT of CHARGE and DISCHARGE of the INTROMISSIONS of the HONORARY TREASURER for the Year from 12th November 1929 to 11th November 1930.

CHARGE.

I. Funds as at close of last Account—

1. Sum on Deposit Receipt with Bank of Scotland, George Street, Edinburgh .	£375	2	7
2. Balance on Account Current with Do. .	24	11	1
	£399	13	8

II. Subscriptions received—

1. Members	£501	18	0
2. Libraries	131	5	0
	633	3	0

III. Past Publications sold to Members 14 9 9

IV. Interest on Deposit Receipts 15 3 11

Sum of the Charge £1,062 10 4

DISCHARGE.

I. Cost of Publications—

1. <i>Register of the Consultations of the Ministers of Edinburgh</i> , Volume II. :			
Composition and Printing	£195	12	6

Carry forward £195 12 6

Brought forward	£195	12	6
2. <i>Minutes of the Justices of the Peace for Lanarkshire :</i>			
Composition to date	100	9	3
3. <i>Prisoners of the '45, Volumes II. and III. :</i>			
Postages of back Volumes	5	2	11
II. General Printing and Stationery	7	9	9
III. Miscellaneous Payments	31	6	6
IV. Income Tax on Deposit Receipt Interest	4	6	0
V. Funds as at close of this Account—			
1. Sum on Deposit Receipt with the Bank of Scotland, George Street, Edinburgh	£670	0	0
2. Sum on Account Current with Do. do.	48	3	5
			718 3 5
Sum of the Discharge	£1,062	10	4

EDINBURGH, 15th November 1930.—I have examined the Accounts of the Honorary Treasurer of the Scottish History Society for the period from 12th November 1929 to 11th November 1930, of which the foregoing is an Abstract, and I find the same to be correctly stated and sufficiently vouched, closing with a Balance on Deposit Receipt with the Bank of Scotland, George Street, Edinburgh, of £670, and a Balance at the credit of the Society's Account Current with the said Bank of £48, 3s. 5d.

WILLIAM K. DICKSON.

Scottish History Society.

THE EXECUTIVE.

1930-1931.

President.

JOHN BUCHAN, M.P., LL.D.

Chairman of Council.

The Hon. LORD SANDS, D.D., LL.D.

Council.

Principal ROBERT S. RAIT, C.B.E., LL.D.

JAMES MACLEHOSE, LL.D.

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D. HAY FLEMING, LL.D.

JOHN A. INGLIS, K.C.

Professor R. K. HANNAY, LL.D.

Corresponding Members of Council.

Professor Sir CHARLES H. FIRTH, LL.D., Oxford; Professor
SANFORD TERRY, Litt.D., Mus.D., D.Litt., LL.D., Aberdeen.

Hon. Treasurer.

JOHN M. HOWDEN, D.L., C.A., 8 York Place, Edinburgh.

Hon. Secretary.

H. W. MEIKLE, D.Litt., National Library of Scotland,
Parliament Square, Edinburgh.

RULES

1. THE object of the Society is the discovery and printing, under selected editorship, of unpublished documents illustrative of the civil, religious, and social history of Scotland. The Society will also undertake, in exceptional cases, to issue translations of printed works of a similar nature, which have not hitherto been accessible in English.

2. The affairs of the Society shall be managed by a Council, consisting of a Chairman, Treasurer, Secretary, and twelve elected Members, five to make a quorum. Three of the twelve elected Members shall retire annually by ballot, but they shall be eligible for re-election.

3. The Annual Subscription to the Society shall be One Guinea. The publications of the Society shall not be delivered to any Member whose Subscription is in arrear, and no Member shall be permitted to receive more than one copy of the Society's publications.

4. The Society will undertake the issue of its own publications, *i.e.* without the intervention of a publisher or any other paid agent.

5. The Society normally issues yearly two octavo volumes of about 320 pages each.

6. An Annual General Meeting of the Society shall be held at the end of October, or at an approximate date to be determined by the Council.

7. Two stated Meetings of the Council shall be held each year, one on the last Tuesday of May, the other on the Tuesday preceding the day upon which the Annual General Meeting shall be held. The Secretary, on the request of three Members of the Council, shall call a special meeting of the Council.

8. Editors shall receive 20 copies of each volume they edit for the Society.

9. The owners of Manuscripts published by the Society will also be presented with a certain number of copies.

10. The Annual Balance-Sheet, Rules, and List of Members shall be printed.

11. No alteration shall be made in these Rules except at a General Meeting of the Society. A fortnight's notice of any alteration to be proposed shall be given to the Members of the Council.

PUBLICATIONS OF THE SCOTTISH HISTORY SOCIETY

For the year 1886-1887.

1. BISHOP POCOCKE'S TOURS IN SCOTLAND, 1747-1760. Edited by D. W. KEMP.
2. DIARY AND ACCOUNT BOOK OF WILLIAM CUNNINGHAM OF CRAIG-ENDS, 1673-1680. Edited by the Rev. JAMES DODDS, D.D.

For the year 1887-1888.

3. GRAMEIDOS LIBRI SEX: an heroic poem on the Campaign of 1689, by JAMES PHILIP of Almerieclose. Translated and edited by the Rev. A. D. MURDOCH.
4. THE REGISTER OF THE KIRK-SESSION OF ST. ANDREWS. Part I. 1559-1582. Edited by D. HAY FLEMING.

For the year 1888-1889.

5. DIARY OF THE REV. JOHN MILL, Minister in Shetland, 1740-1803. Edited by GILBERT GOUDIE.
6. NARRATIVE OF MR. JAMES NIMMO, A COVENANTER, 1654-1709. Edited by W. G. SCOTT-MONCRIEFF.
7. THE REGISTER OF THE KIRK-SESSION OF ST. ANDREWS. Part II. 1583-1600. Edited by D. HAY FLEMING.

For the year 1889-1890.

8. A LIST OF PERSONS CONCERNED IN THE REBELLION (1745). With a Preface by the EARL OF ROSEBERY.

Presented to the Society by the Earl of Rosebery.

9. GLAMIS PAPERS: The 'BOOK OF RECORD,' a Diary written by PATRICK, FIRST EARL OF STRATHMORE, and other documents (1684-89). Edited by A. H. MILLAR.
10. JOHN MAJOR'S HISTORY OF GREATER BRITAIN (1521). Translated and edited by ARCHIBALD CONSTABLE.

For the year 1890-1891.

11. THE RECORDS OF THE COMMISSIONS OF THE GENERAL ASSEMBLIES, 1646-47. Edited by the Rev. Professor MITCHELL, D.D., and the Rev. JAMES CHRISTIE, D.D.
12. COURT-BOOK OF THE BARONY OF URIE, 1604-1747. Edited by the Rev. D. G. BARRON.

For the year 1891-1892.

13. MEMOIRS OF SIR JOHN CLERK OF PENICUIK, Baronet. Extracted by himself from his own Journals, 1676-1755. Edited by JOHN M. GRAY.
14. DIARY OF COL. THE HON. JOHN ERSKINE OF CARNOCK, 1683-1687. Edited by the Rev. WALTER MACLEOD.

For the year 1892-1893.

15. MISCELLANY OF THE SCOTTISH HISTORY SOCIETY. Vol. I.
16. ACCOUNT BOOK OF SIR JOHN FOULIS OF RAVELSTON (1671-1707). Edited by the Rev. A. W. CORNELIUS HALLEN.

For the year 1893-1894.

17. LETTERS AND PAPERS ILLUSTRATING THE RELATIONS BETWEEN CHARLES II. AND SCOTLAND IN 1650. Edited by SAMUEL RAWSON GARDINER, D.C.L., etc.
18. SCOTLAND AND THE COMMONWEALTH. LETTERS AND PAPERS RELATING TO THE MILITARY GOVERNMENT OF SCOTLAND, Aug. 1651-Dec. 1653. Edited by C. H. FIRTH, M.A.

For the year 1894-1895.

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